

# Florida Office of Financial Regulation Office of Inspector General

July 15, 2019

Report of Investigation Number 19069

 Bradley Perry  
Inspector General

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This Executive Summary sets forth the Office of Financial Regulation (OFR) Office of Inspector General's (OIG) findings and conclusions based upon its investigation into allegations of misconduct made against Ronald L. Rubin.

## CONCLUSION:

This investigation is being categorized as **proved** that Ronald L. Rubin violated department policy prohibiting misconduct through his actions, as summarized below.

A **Proved** determination finds that there is sufficient, competent, and relevant evidence to afford a reasonable basis that a violation has occurred.

The OFR OIG respectfully asks that the Florida Financial Services Commission (management) review this report and take any action it deems appropriate.

If action is taken, management should confirm in writing to the OFR OIG and Department of Financial Services (DFS) Bureau of Human Resource Management.

## ADMINISTRATIVE MATTERS INVESTIGATED:

Whether Ronald L. Rubin, Director of the Office of Financial Regulation of the Financial Services Commission (OFR Commissioner), in violation of DFS Administrative Policies and Procedures (AP&P) 5-24 and 5-26, discriminated and/or harassed staff and non-employee individuals; engaged in conduct unbecoming a public employee; and engaged in conduct inappropriate to the position of agency head.

## SUBJECT AND ALLEGATIONS CATEGORIZED:

Ronald L. Rubin, OFR Commissioner:

- Violated DFS 5-24, Sexual Harassment and Other Acts of Discrimination Policy **Proved**
- Violated DFS 5-26, Standards of Conduct Policy **Proved**

## REPORT PROVIDED TO MANAGEMENT OFFICIALS:

Honorable Members of the Florida Financial Services Commission.

This investigation will remain active until management has confirmed to the OFR OIG that it either: 1) requests additional information before making its final determination, or 2) has provided Commissioner Rubin written notice of its final determination. Until such confirmation, this report and its supporting documentation remains confidential and exempt, pursuant to Chapter 119, F.S.

FLORIDA OFFICE OF FINANCIAL REGULATION • OFFICE OF INSPECTOR GENERAL  
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UNDER APPLICABLE LAW. DO NOT RELEASE WITHOUT PRIOR COORDINATION  
WITH THE OFFICE OF INSPECTOR GENERAL.

## EXECUTIVE SUMMARY

July 15, 2019

On May 10, 2019, the OIG received notification of a complaint filed with the Department of Financial Services alleging sexual harassment against OFR Commissioner Ronald L. Rubin (Commissioner Rubin). The complainant (Complainant #1)—an alleged victim of sexual harassment<sup>1</sup>—later provided sworn testimony to the OFR OIG claiming that Commissioner Rubin's actions and statements ultimately created a hostile work environment.

Other agency employees and candidates for agency employment alleged misconduct including that Commissioner Rubin made discriminatory, offensive and other inappropriate comments; took and held an item without permission<sup>2</sup>; requested subordinate employees to perform personal tasks, including finding his personal residence, moving and repairing his personal belongings, locating house cleaning services, and accommodating his personal travel needs; offered the use of his personal residence to subordinate employees; and resided in housing provided through family of a subordinate employee.

On May 29, 2019, Daniel F. Blonsky, then attorney representative for Commissioner Rubin, provided a statement to the OIG addressing certain allegations made public by the DFS.<sup>3</sup> The statement asserted that external parties had taken advantage of the initial complainant's concerns in an apparent act of retaliation against Commissioner Rubin. The OFR OIG found no reasonable cause to believe the initial complainant falsified the complaint. Commissioner Rubin has since requested that external entities investigate the matter. The administrative authority of this OIG investigation resides on the conduct of OFR personnel only.

On June 7, 2019, the OIG requested Commissioner Rubin to produce a notarized sworn statement responsive to questions and allegations regarding his conduct. On June 21, 2019, Commissioner Rubin, through Michael Tein, his since-designated counsel representative, provided a written statement not duly sworn by a notary. On July 12, 2019, Commissioner Rubin and his attorney cooperated in a sworn and recorded interview with the OIG.<sup>4</sup> The OIG has considered Commissioner Rubin's two written statements (see B-2 & B-3 attached) and his verbally sworn testimony in its findings.

The OFR OIG ultimately received subject, complainant and witness testimony from 15 individuals<sup>5</sup> regarding the initial and/or other misconduct allegations against Commissioner Rubin. A detailed analysis and conclusion of the supporting documentation reviewed and the responses from individuals interviewed by the OIG is available upon request.

The OIG presents its main findings below. This report, and the case file, is confidential and exempt from disclosure.<sup>6</sup>

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<sup>1</sup> Per Section 119.071(2)(n), F.S., the complainant's name is confidential and exempt.

<sup>2</sup> Per Section 20.055(7)(c), F.S., the OIG reported and deferred to law enforcement allegations that Commissioner Rubin committed battery against a non-employee.

<sup>3</sup> Mr. Blonsky provided Commissioner Rubin's first statement on May 28, 2019, and then provided a corrected version on May 29, 2019.

<sup>4</sup> In the beginning of the interview, Commissioner Rubin notified the OIG that current medication could possibly interfere with his ability to understand questions and/or answer them truthfully. Commissioner Rubin appeared lucid, agreed to proceed with the OIG interview, and did not exhibit any difficulty in answering questions during the interview.

<sup>5</sup> From May 13, 2019 to July 12, 2019, the OIG contacted 15 total individuals to conduct and obtain two unsworn interviews, 11 sworn and recorded interviews, and three notarized sworn statements.

<sup>6</sup> Per Section 119.071(2)(k), F.S., a complaint of misconduct and all information obtained pursuant to the

**Commissioner Rubin's pattern of comments to his subordinate and presumptive employees in both one-on-one and group settings, on topics relating to sex, personal relationships, and the body, notwithstanding the employees' immediate reaction or Commissioner Rubin's intended purpose, had the effect of creating an intimidating, hostile and offensive work environment in OFR's Office of Executive Direction. He treated female individuals differently through his requests to and/or comments about women.**

The OIG finds that Commissioner Rubin violated agency policy prohibiting sexual harassment and discrimination through his conduct, which includes:

1. Showing a candidate for OFR employment a photograph of a woman who had expressed a personal interest in him;
2. Suggesting to a candidate for OFR employment that his parents would pay him money to have a child with someone;
3. Stating to subordinate employees that certain matters could not be discussed in front of women;
4. Asking a subordinate employee to remove their shoes to take a picture with him;
5. Recounting to the same employee the sexual history of a family member;
6. Telling the same employee that his parents stated they were very fertile;
7. Offering the same employee attendance at a conference with him in Washington, DC;
8. Offering the same employee a key to his private residence in Washington, DC;
9. Asking a subordinate employee if their dog watches the employee and their spouse have sex; and
10. Using the "c-word" as a reference to a female in the presence of subordinate employees.

The OIG did not substantiate that the Commissioner submitted a person to an unwelcome sexual advance, a request for sexual favor, or physical conduct of a sexual nature to: impose a term or condition of employment; make an employment decision; unreasonably interfere with an individual's work performance; or make a decision affecting a person or entity regulated by or doing business with the agency.

**Commissioner Rubin's misuse of his subordinate staff's time and resources demonstrated a preference for the accomplishment of his own personal objectives over that of the interests of the public and agency. His comments toward employees in both one-on-one and group settings failed to show courtesy, consideration or respect. He failed to refrain from conduct inappropriate for his position as agency head.**

The OIG finds that Commissioner Rubin violated agency policy prohibiting conduct unbecoming a public employee and misconduct through his:

1. Seeking assistance from subordinate state employees to move his personal belongings;
2. Eliciting and accepting from a subordinate state employee transportation services;

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investigation is confidential and exempt until the investigation ceases to be active, or the agency provides written notice to the subject employee that the agency has either: concluded the investigation with a finding not to proceed with disciplinary action or file charges; or concluded the investigation with a finding to proceed with disciplinary action or file charges.

3. Eliciting and accepting from a subordinate state employee the repair of his personally-owned coffee maker;
4. Requesting a subordinate employee, in the presence of other employees, to identify their country of origin, and asking whether the employee ran;
5. Seeking and receiving the use of a subordinate state employee's personal vehicle, as well as assistance from at least four additional state employees, to move a personally-owned refrigerator from his private property to a state building;
6. Seeking assistance from a subordinate state employee to locate cleaning services for his apartment and personal condominium unit;
7. Telling a subordinate employee that certain names for their child were wrong and/or problematic;
8. Characterizing to a subordinate employee the wearing of bowties with people who are gay, Muslim or like attention;
9. Describing a state employee as "Debbie downer" to another subordinate employee;
10. Telling a candidate for OFR employment that certain people were "rednecks";
11. Making comments that described subordinate employees as being too old;
12. Seeking and receiving assistance from a subordinate state employee to locate a personal residence; and
13. Residing in housing owned by an immediate family member of his subordinate employee.

#### **CONSIDERATIONS:**

##### *Office of Inspector General Partnerships & Coordination*

In order to conduct a thorough and timely investigation while ensuring objectivity and independence, the OFR OIG coordinated with the respective Inspectors General of the Financial Services Commission, which includes the Office of the Governor, Office of the Attorney General, the Department of Financial Services and Department of Agriculture and Consumer Services. The OFR OIG appreciates the assistance provided by Florida's Inspector General community.

##### *Commissioner Rubin's Tenure as OFR Commissioner*

The Financial Services Commission appointed Commissioner Rubin on February 27, 2019. From his appointment date to the receipt of the initial complaint on May 10, 2019, Commissioner Rubin claimed 57 days worked.

##### *Investigator's Independence*

The OFR Inspector General reports solely to Commissioner Rubin, who acts as agency head as the Director of the OFR of the Financial Services Commission. Nevertheless, the inspector general has an obligation under Section 20.055(7), F.S., to conduct investigations. Neither the Financial Services Commission nor the agency has impeded the OIG from initiating, carrying out, or completing this investigation.

#### **OTHER CONCERNS:**

Since February 26, 2019, 35 people have separated from the OFR. While not all are attributable to the current Commissioner or this pending matter, the effect it has had on an agency with only 354 full time positions, has been significant. Commissioner Rubin's hiring freeze remains in place.



## **DISTRIBUTION AND ATTESTATION**

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Attorney General Ashley Moody  
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### **Information Distribution:**

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**The Office of Financial Regulation's mission is to protect the citizens of Florida, promote a safe and sound financial marketplace, and contribute to the growth of Florida's economy with smart, efficient and effective regulation of the financial services industry.**

**The mission of the Office of Inspector General is to promote integrity, accountability and process improvement within the Office of Financial Regulation.**

**The mission of the investigations section is to deter, detect and investigate crimes or misconduct impacting the Office of Financial Regulation.**

This investigation was conducted pursuant to Section 20.055, Florida Statutes, in accordance with applicable *Principles and Standards for Offices of Inspectors General* as published by the Association of Inspectors General. This investigation was conducted by Bradley Perry, Inspector General, CIG, CIGI, CFE. Please address inquiries regarding this report to the OFR Office of Inspector General at (850) 410-9696.

# Exhibit B-2

## Commissioner Rubin's May 29, 2019 Statement

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**Date of Activity:** May 29, 2019

**Preparer** BP

**Exhibit Prepared by:** Bradley Perry

**Reviewer** BP

**Attachment Received from:** Daniel F. Blonsky, Attorney  
Representative for Commissioner Rubin

|                           |                   |  |
|---------------------------|-------------------|--|
| <b>Case Number:</b> 19069 | <b>Exhibit:</b> B | <b>Attachment:</b> B-2, Commissioner Rubin's<br>May 29, 2019 Statement |
|---------------------------|-------------------|--|

## Perry, Bradley

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**From:** Daniel F. Blonsky <dblonsky@coffeyburlington.com>  
**Sent:** Wednesday, May 29, 2019 2:00 PM  
**To:** Perry, Bradley  
**Cc:** Shoaf, Mike; Kendall Coffey  
**Subject:** RE: Commissioner Ronald Rubin OFR  
**Attachments:** Commissioner Rubin Statement to IG - w attachments.pdf

Mr. Perry:

There was one error in Commissioner Rubin's statement from yesterday. Attached is a corrected statement. The only change is on the last paragraph on page 4, which corrected the date of the referenced call. In reviewing his phone records, Commissioner Rubin confirmed that the call was on the evening of March 21, rather than on March 24. Sorry for any confusion.

Daniel F. Blonsky  
**COFFEY | BURLINGTON**  
2601 South Bayshore Drive, Penthouse  
Miami, Florida 33133  
T. 305-858-2900  
F. 305-858-5261  
[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)

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Thank you.  
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**From:** Perry, Bradley <Bradley.Perry@flofr.com>  
**Sent:** Tuesday, May 28, 2019 11:29 AM  
**To:** Daniel F. Blonsky <dblonsky@coffeyburlington.com>  
**Cc:** Shoaf, Mike <Michael.Shoaf@myfloridacfo.com>; Kendall Coffey <kcoffey@coffeyburlington.com>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Mr. Blonsky:

Confirming receipt of your e-mail and its attachment. Upon review, I will respond again to you and hope to do so without delay.

Thank you,  
Bradley

**Bradley Perry**

Inspector General, Office of Inspector General  
Florida Office of Financial Regulation  
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[www.flofr.com](http://www.flofr.com)  
Follow us! [@FIFinancialReg](https://twitter.com/FIFinancialReg)



---

**From:** Daniel F. Blonsky [<mailto:dblonsky@coffeyburlington.com>]  
**Sent:** Tuesday, May 28, 2019 11:22 AM  
**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Dear Mr. Perry:

Attached is Commissioner Rubin's statement, along with its four referenced attachments. The statement is intended to address the publicly released complaint and emails, which is all that we currently know to have been submitted in connection with the investigation. We are happy to supplement it if other matters need to be addressed. The submission of this statement is without prejudice to and with full reservation of Commissioner Rubin's due process rights. He is available for an interview with the Inspector General at a mutually convenient time later this week. Please coordinate such an interview with my office.

Thank you for your cooperation with this matter.

Daniel F. Blonsky  
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Thank you.

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**From:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Sent:** Wednesday, May 22, 2019 9:19 AM  
**To:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

I also understand your position. At this time, I can only confirm there is an open, active and ongoing investigation. Mr. Rubin will be afforded an opportunity to respond before the conclusion of the investigation.

Your client may provide a statement now, if he wishes to do so.

Sincerely,  
Bradley

**Bradley Perry**

Inspector General, Office of Inspector General  
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**From:** Daniel F. Blonsky [<mailto:dblonsky@coffeyburlington.com>]  
**Sent:** Tuesday, May 21, 2019 4:00 PM  
**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Thanks for getting back to me and I understand. However, we would like to know the scope of the investigation generally so that Commissioner Rubin knows what needs to be covered in his statement. For instance, we have seen a formal discrimination complaint signed on May 10, which we understand to be a subject of the investigation, but we have also seen 2 emails dated May 13. I don't know whether those emails are also being investigated and require

response or whether that would not be necessary. I would also like a sense of the timing and when you would want a statement provided. I am happy to discuss if that would be easier.

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**From:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Sent:** Tuesday, May 21, 2019 2:50 PM  
**To:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Mr. Blonsky:

Thank you for providing notice of your representation. Captain Shoaf is providing investigative assistance to my office, which is conducting this investigation.

While I cannot share information concerning this open and ongoing matter, your client may provide a statement.

Please let me know if you have any questions.

Thank you,  
Bradley

**Bradley Perry**  
Inspector General, Office of Inspector General  
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**From:** Shoaf, Mike  
**Sent:** Monday, May 20, 2019 2:56 PM  
**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Subject:** FW: Commissioner Ronald Rubin OFR

See below.

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**From:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Sent:** Monday, May 20, 2019 2:54 PM  
**To:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>  
**Cc:** Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** Commissioner Ronald Rubin

Dear Captain Shoaf:

As we advised the General Counsel's office last Friday, this firm is representing Commissioner Ronald Rubin in connection with any Inspector General investigation into complaints that may have been filed regarding Commissioner Rubin. When you have an opportunity, I would like to speak with you to obtain an understanding as to where the investigation stands, and we request the opportunity for Commissioner Rubin to provide a statement or interview when you deem it appropriate. Thank you for your attention to this matter and we look forward to working with you.

Daniel F. Blonsky  
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Thank you.

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### Ronald Rubin's Statement Regarding May 2019 Investigation

At the outset, I stress that I have never and would never contemplate or engage in any kind of romantic or sexual relationship with an Office of Financial Regulation (OFR) employee. The OFR commissioner directly or indirectly supervises every OFR employee, so even a consensual romantic/sexual relationship between the OFR commissioner and an OFR employee would be improper and unacceptable.

A fair and complete evaluation of the matters described in [REDACTED] complaint requires consideration of important facts that predate [REDACTED] employment at OFR. Two individuals play a prominent role in this recounting and explain the expansion of this issue far beyond its original scope:

1. Paul Mitchell is a prominent Tallahassee lobbyist with Southern Strategy Group. One of his clients, a neighbor of my parents, introduced me to Mr. Mitchell in July of 2018 after my father asked the neighbor for advice on the appointment process. Mr. Mitchell said he was close with CFO Jimmy Patronis and his chief of staff, Ryan West. Over the next eight months, Mr. Mitchell and I communicated regularly and became friends, and as a friend (rather than a hired lobbyist), he advised me on the appointment process. He often told me he was doing so because our conversations had convinced him I was the most qualified person for the job, and Florida would benefit from my being commissioner. Mr. Mitchell informed me that he frequently spoke and met with CFO Patronis and Mr. West during the months leading up to my appointment as OFR commissioner on February 26, 2019.

2. [REDACTED] when [REDACTED] resigned to become a senior official at an insurance company based in the [REDACTED] area. In 2016, the company apparently fired [REDACTED] and he became a [REDACTED]-based consultant.

As explained below, I believe that this investigation is the product of efforts by Mr. Mitchell and [REDACTED] to take political advantage of a concern informally voiced by [REDACTED] in an attempt to force me to resign as commissioner, which I have been unwilling to do.

#### **[REDACTED] Complaint ("Complaint 2" - May 13, 2019 Email to Ryan West)**

On February 20, 2019, Mr. West called to inform me that the Florida Cabinet aides' were meeting the following morning, and he expected CFO Patronis' cabinet aide to nominate only one applicant - me - to be OFR commissioner. Mr. West said that doing so would send a strong signal to the other cabinet members that the CFO wanted me to be OFR commissioner.

Toward the end of the call, Mr. West said he had an important question to ask before preceding with the aforementioned plan: "Would you have a problem firing [REDACTED] [REDACTED] I assumed that the [REDACTED] [REDACTED] work had been unsatisfactory, so I replied that if firing [REDACTED] was legal and appropriate, I would have no problem doing so. I said I knew many Florida [REDACTED] from the six years I had [REDACTED] [REDACTED] in the state, and I would ask around to find a good [REDACTED] for the job. Mr. West replied, "No, you don't understand - we have someone we want for the job. Would you have a problem hiring that person?" I replied that I didn't have anyone in mind



to replace the [REDACTED] so I had no reason to object to hiring whomever the CFO wanted me to hire, so long as that person was reasonably qualified and could do the job. Mr. West indicated he was satisfied with my answer, and we ended the call.

I was the CFO's only nominee, and the Florida Cabinet unanimously voted to appoint me OFR commissioner on February 26, 2019. Less than two weeks later, Mr. West asked me to stop by his office. After discussing a few OFR matters, he took a resume from his desk, made a copy, and handed me the original. The resume belonged to [REDACTED]. Mr. West informed me that Paul Mitchell had given him [REDACTED] resume, and he hoped I would interview [REDACTED] for the [REDACTED] job (photos of [REDACTED] original resume are submitted with this statement). I scanned [REDACTED] resume and told Mr. West that [REDACTED] appeared to have little experience relevant to the [REDACTED] job, but I would be happy to interview [REDACTED]. I returned to my office and asked [REDACTED] to contact [REDACTED] and arrange the interview.

A day or two later, Mr. Mitchell called me as I was driving to work. I asked how he knew [REDACTED] and why he had given Mr. West [REDACTED] resume, since [REDACTED] did not seem qualified to be [REDACTED]. Mr. Mitchell laughed and replied, "That resume didn't come from me, it came from Jimmy [CFO Patronis]." Mr. Mitchell went on to explain that [REDACTED] was a close friend and that [REDACTED] had been fired from a high-level job at a big insurance company a few years earlier. As a result, [REDACTED] had moved from [REDACTED] where [REDACTED] currently lived. According to Mr. Mitchell, [REDACTED] was planning to move to Tallahassee. [REDACTED] was still living [REDACTED] and [REDACTED] wanted [REDACTED] to get a job in Tallahassee and move there with their minor child. Mr. Mitchell said that CFO Patronis wanted me to hire [REDACTED] as [REDACTED] so that [REDACTED] could live in the same location (Tallahassee) as [REDACTED] child.

[REDACTED] did not want to travel to Tallahassee for the interview and wanted me to meet [REDACTED] in [REDACTED] which I thought was strange for a job applicant. I asked [REDACTED] to inform [REDACTED] that my schedule was too full for me to meet [REDACTED] in [REDACTED] but I would be visiting OFR's Orlando office soon, so I could meet [REDACTED] in Orlando. [REDACTED] did not want to do that either, and instead asked [REDACTED] if I could meet halfway between Orlando and [REDACTED]. I had [REDACTED] reply that meeting outside of Orlando would reduce the limited time I had to spend with OFR's Orlando employees, and I was unwilling to do so. [REDACTED] finally agreed to meet for lunch in Orlando on [REDACTED].

The interview did not go well from my perspective. Early in the lunch interview, I asked [REDACTED] if [REDACTED] knew anything about me or had read any of my articles (I did so because interview preparation is a good indicator of an applicant's work ethic and interest). The question appeared to annoy [REDACTED]. [REDACTED] replied that [REDACTED] had done no research on me, had read none of my articles, and knew very little about me. [REDACTED] asked me to write down the names of some of my articles, and [REDACTED] would try to read them later.

I suggested that [REDACTED] just Google "Consumer Financial Protection Bureau," and the first or second search result would be a National Review article that contained a lot of information about me. [REDACTED] picked up [REDACTED] phone, typed quickly, scrolled for a few seconds, and said [REDACTED] couldn't find the article. I asked to see what [REDACTED] was looking at, and [REDACTED] handed me [REDACTED] phone. I said [REDACTED]

had misspelled the word "Financial." I quickly corrected the spelling, found the article, and handed the phone back to [REDACTED] [REDACTED] put it on the table without looking at the screen.

NOTE: The description of this interaction in [REDACTED] May 13, 2019 email to Mr. West (which was published by the CFO's office on May 14, 2019) contains many inaccuracies. I did not "grab [REDACTED] phone out of [REDACTED] hand before [REDACTED] could finish typing," say [REDACTED] phone "looked like a [REDACTED] phone," or tell [REDACTED] "needed to learn how to spell." I would never do any of those things, particularly when interviewing someone personally recommended by Mr. West. Assertions to the contrary do not withstand scrutiny.

Next, [REDACTED] pulled a printout of OFR's organization chart from [REDACTED] bag and placed it on the table. [REDACTED] said [REDACTED] had reviewed the chart and would like to be OFR's deputy commissioner. I replied that I was reorganizing the agency and would be converting the deputy commissioner position to chief of staff. [REDACTED] asked me to draw on [REDACTED] (current) chart a diagram of the new organization, and to show [REDACTED] where the current chart's managers would be in the new organization chart. I drew the diagram and said that several OFR senior managers had announced, or were expected to announce, their retirements soon. I said I had not yet decided which middle managers would replace the retirees in the new organization chart.

NOTE: The description of this interaction in [REDACTED] May 13 email is also inaccurate. I absolutely did not "point to three names and say they need to go because they were 'too old.'" Those three managers announced their retirements before or shortly after [REDACTED]. At least two other middle managers retired in April 2019. All of these retirements were 100% voluntary and were initiated by the employees themselves. Neither I nor anyone I know of requested or pressured these employees to retire. Furthermore, other than two disciplinary matters, no OFR employee has been terminated since I became commissioner. It is ridiculous to think that I would make such discriminatory comments to an interviewee whom I had just met and who had already made a negative impression on me. To the contrary, I told [REDACTED] [REDACTED] I was worried that the retirements would put additional pressure on my already overworked staff. I said I was particularly concerned because I had been relying heavily on one employee whom I expected to take [REDACTED] at the end of the summer. I did not say the employee was [REDACTED]

I told [REDACTED] [REDACTED] that I hoped to create a new enforcement division and add several new enforcement attorney positions. I said it would be hard to find and entice experienced enforcement attorneys to move to Tallahassee and work for OFR salaries less than half their current salaries. I mentioned that a few former SEC and CFPB (federal) enforcement attorney colleagues in Boston, Atlanta and Miami had told me they would love to work for OFR, but could not afford the pay cut.

NOTE: The description of this interaction in [REDACTED] May 13 email is so blatantly false and inflammatory that that it must have been intentionally fabricated for the purpose of angering local readers. I certainly did not say I "couldn't find any smart people in Tallahassee as there were too many 'rednecks.'" [REDACTED] did not scold me during the interview, and I do not recall either of us using the term "redneck." Based on a subsequent conversation I had with Mr. Mitchell, which I describe below, I believe he suggested or even dictated this part of [REDACTED] May 13 email (if not the entire email). Again, it is ludicrous to think that I would make such offensive comments to an interviewee that I had just met.

██████████ studied the diagram ██████████ had instructed me to draw and then asked me to identify the most important position in the new organizational structure. I said I considered the head of the enforcement division to be the most important OFR job after the commissioner's. ██████████ immediately replied, "Okay, I'll take that job." I was stunned by ██████████ sense of entitlement and said that, based on the experience listed on ██████████ resume, enforcement director was the one job ██████████ could not be expected to perform. I explained that the person in that role would have to be an experienced litigator with some combination of expertise in securities law, consumer finance law, criminal law and banking law. ██████████ said only that ██████████ had administrative law experience, pointing out the environmental law work ██████████ had done between 1997 and 2001.

The interview was becoming uncomfortable for me because ██████████ ██████████ did not want to discuss the ██████████ ██████████ job for which ██████████ was interviewing, and ██████████ seemed indignant that I would even question ██████████ qualifications. Since Mr. Mitchell had told me ██████████ was the ██████████ of CFO Patronis' friend, I ended the interview politely by saying I would go through the organization chart and try to identify a position for which ██████████ would be a good fit, and then get back to ██████████

NOTE: ██████████ ██████████ May 13 email includes a grotesquely inaccurate description of our discussion about Governor DeSantis and the Florida Cabinet in a ham-handed effort to taint me before them. The truth is that I told ██████████ ██████████ in no uncertain terms I was extremely impressed with every Cabinet member and the job they had done so far. I praised their individual initiatives to reduce financial fraud against Florida seniors (one of my top priorities) and said I would not be surprised if Governor DeSantis was elected President of the United States one day. I told ██████████ ██████████ that I had gotten to know every cabinet member except the governor through private meetings, and I had had several meetings with the governor's staff, who were also impressive.

I told ██████████ ██████████ that I could not thank Governor DeSantis enough for coming to a March 14 Palm Beach Alzheimer's fundraiser that my parents had helped organize (I introduced the governor before his speech), because he had used the event to announce an important Alzheimer's research initiative, and because he had brought so much joy to my parents, who are 84 and 82 years old. ██████████ ██████████ May 13 email claims that I "was happy that Governor DeSantis attended, but [I] was annoyed that the Governor did not recognize [me] when [we] saw each other at a subsequent event." This statement is provably false. I did not attend another event with Governor DeSantis between March 14 and March 21 (the date of ██████████ ██████████ interview). In fact, the next time I was in the same room with Governor DeSantis was his speech at the Emergency Operations Center on May 8, 2019 (I did not speak with the governor). Again, it is farcical to think that I would have made disparaging comments about the governor and the Cabinet to an interviewee recommended by the CFO's chief of staff.

Around 8:30 pm on March 21, Mr. Mitchell called me to discuss ██████████ ██████████ interview. It was our first unfriendly conversation, and he was bullying throughout the call. He began by screaming, "I spoke with ██████████ I ██████████ What the hell is wrong with you? ██████████ said you called ██████████ incompetent!" I replied that I didn't say ██████████ was incompetent, but rather only that ██████████ was not qualified to be OFR's enforcement director. Mr. Mitchell snapped back, "██████████ qualifications are irrelevant. You were just supposed to hire ██████████"

I explained that I had hoped to hire [REDACTED] and I had not told [REDACTED] I wouldn't hire [REDACTED] because I thought I should speak with Mr. Mitchell before deciding what to do. I said that I needed a [REDACTED] who could actually do the job. Furthermore, I told Mr. Mitchell that [REDACTED] was so unpleasant, and had such an air of entitlement, that I feared [REDACTED] would make my staff and other OFR employees miserable.

Mr. Mitchell tried to put me on the defensive by accusing me of using the word "redneck" during the interview, which he said was racist. I was puzzled because I did not recall anyone using the word during lunch, and had trouble imagining how it might have come up during the interview. Based on this conversation, I suspect that Mr. Mitchell drafted or dictated parts of [REDACTED] May 13 email.

Recognizing that I was not interested in hiring [REDACTED] Mr. Mitchell said that [REDACTED] was no longer interested in working for OFR. He said he would find [REDACTED] a job at another Florida state agency. I was relieved that [REDACTED] would be someone else's problem, and thought I had heard the last of [REDACTED]

#### [REDACTED] Complaint (Complaint 1)

Almost immediately after I was appointed OFR commissioner, I recognized that morale among the agency's employees was very low, in large part because the employees perceived the previous commissioner and acting commissioner to be autocratic and aloof. To remedy this problem, I have gone to great lengths to show OFR employees that I am a different kind of leader – friendly, approachable, and mentoring. I traveled to every OFR office around the state to hold "town hall" meetings in which I spent hours talking to, listening to, and getting to know the employees. I spent hours every weekend drafting weekly message emails to OFR employees that described in a conversational tone my previous week's activities, and illustrated the messages with appropriate, sometimes personal, photos.

I endeavored to set a similar tone in my own executive office. A personal topic I discussed frequently during informal conversations with my staff was my interest in interior design. I had put considerable thought and effort into painting and furnishing my Washington, DC apartment (the project distracted me during the eight month-long OFR appointment process). I often shared photos of my DC apartment's furniture and design with my staff and others who expressed interest, including the Department of Financial Service's chief of human resources management.

After my appointment, I decided to buy a second apartment in Tallahassee. I purchased an unfinished unit in the Plaza condominiums that required painting and installation of floors, baseboards, closet shelving, kitchen appliances, faucets, lighting, and other basic features. I chose to coordinate the various tasks myself. The condo "finishing" project was a periodic topic of conversation with my staff and others, including CFO Patronis. Four members of my staff (including my human resources administrator), and later former OFR commissioner Tom Grady (who rents an apartment in the building), visited my unfinished apartment during April 2019.

I occasionally discussed with [REDACTED], [REDACTED] both the design of my DC apartment and the pre-habitation work being done on my Tallahassee condominium, which



appeared to be of interest to [REDACTED]. [REDACTED] had asked to see photos of the DC apartment, and [REDACTED] comments indicated knowledge of interior design.

During [REDACTED], [REDACTED] who is [REDACTED], indicated that one reason [REDACTED] wanted to work for OFR was that [REDACTED] hoped to eventually move from the [REDACTED] to a financial analyst-type job that would utilize [REDACTED] pending degree. To help [REDACTED] achieve these goals, I made a point of explaining substantive OFR issues to [REDACTED] whenever possible. [REDACTED] seemed to appreciate my mentoring.

Several OFR employees told me that the previous commissioner's and acting commissioner's unreasonable rigidity regarding working hours had harmed morale, so I allowed my staff significant scheduling flexibility to deal with family and personal matters, and regularly granted permission to arrive at the office late or leave early to tend to family obligations. I informed [REDACTED] of my approach to such issues. Specifically, shortly after [REDACTED] joined OFR, [REDACTED] said [REDACTED] had stopped going to the gym because working out in the morning would cause [REDACTED] to arrive at the office at 8:15 am [REDACTED] than 8:00 am. I gave [REDACTED] permission to begin work at 8:15 am, and said [REDACTED] should let me know if anyone told [REDACTED] could not do so.

During [REDACTED] first week ([REDACTED] began on [REDACTED] 2019), my [REDACTED] advised me that I should take [REDACTED] to lunch. I followed the advice, but to make it clear I had no inappropriate intentions, I invited [REDACTED] by saying, "[REDACTED] says I should take you to lunch." I believe [REDACTED] appreciated the invitation and enjoyed the lunch.

I was traveling for work on [REDACTED] which was [REDACTED]. When I returned to the office, I saw [REDACTED] desk and realized that I had forgotten. I apologized to [REDACTED] and offered to take [REDACTED] to lunch the next week, which is something I would typically do for [REDACTED]. [REDACTED] agreed and chose Harry's Restaurant (I had never been there) for the following Monday.

I was pushing my painter and other workers to make my new apartment habitable by May 1 to avoid renting a temporary apartment in May. On our walk to Harry's, which is just feet from the Plaza condominiums, I asked [REDACTED] if it would be alright if I stopped at the Plaza for five minutes to see if my painter had painted the baseboards that morning, as promised. [REDACTED] said that would be fine, and I asked if [REDACTED] wanted to see the apartment that we had discussed previously, as opposed to waiting in the lobby alone downstairs. Without hesitation, [REDACTED] said [REDACTED] would like to see the apartment. At no time did [REDACTED] express or display any discomfort.

I explained to [REDACTED] that the hallway was covered in concrete dust and I did not want to track hallway soot over newly cleaned floors, so asked if [REDACTED] would mind removing [REDACTED] shoes inside the doorway. [REDACTED] said [REDACTED] did not mind, and [REDACTED] exhibited no signs of discomfort. If [REDACTED] had, I would have gone into the apartment alone.

Although no workers were present, the door was propped open and remained that way the entire time [REDACTED] was there. There was no furniture in the apartment except a recently delivered mattress wrapped in several layers of heavy shipping plastic to protect it during the messy finishing work. I walked through the rooms at a brisk pace, ahead of [REDACTED]. I opened

the sliding door and waited inside while [REDACTED] went out on the balcony to see the view. I estimate we were inside the unit for no more than three minutes. While there, I called the painter to say that the baseboards still had not been painted, and we proceeded to Harry's. I viewed the stop as innocuous.

During lunch (which wound up being at Andrew's because Harry's could not seat us), [REDACTED] discussed [REDACTED] family and [REDACTED] illness and then asked about my siblings. I said that my sister's son had recently died of cancer. In an attempt to lighten the mood, I told a family anecdote, which I have told many people over the years, that ends with my father unexpectedly answering a question, "Your mother and I were very fertile," followed by my quip that it took years of therapy to unhear that answer. My intention was not to make [REDACTED] uncomfortable, but rather to tell a self-deprecating family story after our downbeat discussion of family illnesses. [REDACTED] gave no indication that this brief anecdote made [REDACTED] uncomfortable.

During lunch, the painter sent me a text message saying that the baseboards would be painted by 1:45 pm. When [REDACTED] and I left Andrew's around 2:00, I asked if [REDACTED] would mind my stopping by the apartment on the way back to the office to see if the baseboards had been painted. [REDACTED] said that [REDACTED] did not mind, and we rode up the elevator. I asked [REDACTED] to wait by the elevator while I walked down the hall and checked the apartment. I neither wanted nor asked [REDACTED] to go back inside the unit with me -- it was absolutely clear that I would go to the apartment by myself and check the baseboards. The painter arrived at that time, and I spoke with him inside the apartment for a few minutes while [REDACTED] remained by the elevator. [REDACTED] and I then walked back to OFR; I stopped into a building near OFR for a meeting and [REDACTED] returned to OFR.

[REDACTED] never told me and gave me absolutely no indication that anything I said or did that day, or at any time prior or since, was inappropriate or had made [REDACTED] in any way uncomfortable. It disturbs me greatly to think that what I viewed as innocent interactions may have caused [REDACTED] any amount of distress.

[REDACTED] complaint summarizes a brief conversation we had the following day about potential travel to Washington. I was not aware that this conversation had made [REDACTED] uncomfortable until I read [REDACTED] complaint, and I am not sure the conversation actually took place on April 30. I do recall that [REDACTED] had previously told me [REDACTED] would like to visit Washington, DC, and that the conversation took place immediately after [REDACTED]. [REDACTED] had informed me that the organizers of a Washington securities conference I was scheduled to attend in mid-May provided a free hotel room, but that [REDACTED] had not requested one because [REDACTED] knew I preferred to stay in my own Washington apartment. Moments later, I passed [REDACTED] in the hall, and told [REDACTED] I had just learned that my May conference entitled me to a free Washington hotel room that I wasn't planning to use, and that, if [REDACTED] liked, I could check and see if it would be appropriate for [REDACTED] to attend the conference and stay in the hotel room while I stayed in my apartment. As noted earlier, I encouraged [REDACTED] to involve [REDACTED] in OFR policy matters so [REDACTED] could ultimately achieve [REDACTED] goal of using [REDACTED] accounting degree in a [REDACTED].

[REDACTED] said [REDACTED] preferred to visit Washington as a tourist. I replied that in that case, [REDACTED] was welcome to borrow my apartment if [REDACTED] decided to do so, and I would be happy to lend [REDACTED].

my keys. It was absolutely clear that I was offering [redacted] the use of my Washington apartment while I was in Florida so [redacted] would not have to pay for a Washington hotel, and I considered the offer to be one of kindness and generosity. I would have made the same offer to any friend or co-worker I could trust not to damage the apartment. [redacted] [redacted] neither said nor did anything to indicate that my offer had made [redacted] uncomfortable.

At 1:07 pm on Tuesday April 30, Mr. West, CFO Patronis' chief of staff, sent me a text message asking that I stop by his office at 3:00 pm. The tone of the message concerned me, so I called him. He said he wanted me to meet with him and Mr. Mitchell, but would not disclose the topic. I then asked [redacted] if I had said or done something to make someone angry. [redacted] informed me that [redacted] had told [redacted] our lunch had made [redacted] uncomfortable, and that [redacted] no longer wanted to work [redacted] I was shocked and mortified, as I told [redacted]

I went to Mr. West's office at 3:00 pm. Mr. West looked for Mr. Mitchell but said he could not find him. Mr. West and I discussed [redacted] discomfort. Mr. West also raised [redacted] interview, and I informed him that nothing I said to [redacted] was inappropriate, that [redacted] had not even pretended our lunch was a real interview, and that [redacted] was angry because I had treated it as a real interview.

Based on both [redacted] and Mr. West's descriptions of [redacted] conversation with [redacted] I believe that [redacted] had not approached [redacted] to file a formal complaint. [redacted] it appeared that some incident in [redacted] past presented a concern and [redacted] was worried that I might develop a romantic interest in [redacted] and wanted to avoid that scenario. While discussing the incident with both [redacted] and Mr. West, I assured them that I had no such interest and was sorry that the situation had been misconstrued. I informed them that I believed one reason I had not anticipated [redacted] discomfort with my family anecdote was cultural – Jewish people, especially those from New York (like me), often tell family stories like those I had told during our lunch. Both [redacted] and Mr. West dismissed that suggestion.

After I returned to my office, I discussed with [redacted] the best way to handle the situation. Since [redacted] had not indicated that [redacted] wanted to file a formal or informal sexual harassment complaint, but only that [redacted] was uncomfortable working for me, I suggested we offer [redacted] the opportunity to move to another OFR position that [redacted] found appealing. I asked [redacted] to inform [redacted] that I was very sorry I had unintentionally made [redacted] uncomfortable, and that I would in no way, at no time, think less of [redacted] or retaliate against [redacted] for expressing [redacted] discomfort. I asked [redacted] if [redacted] thought such a reassignment could be accomplished in a way that did not reflect negatively on [redacted] [redacted] said [redacted] believed that doing so was possible, and would be a good course of action. [redacted] instructed [redacted] to stay home the next day. [redacted] informed me that [redacted] would work with OFR [redacted] to reassign [redacted] while I was in Miami for a white-collar crime conference and [redacted] meetings the next two days.

I was in my Miami hotel room that same evening of [redacted] when I received a telephone call on my cell phone from CFO Patronis. He said he was in [redacted] and wanted me to come downstairs (from my apartment) to meet someone. I told him I had just arrived in Miami.

He did not seem to be aware of [REDACTED] concerns when he called me. I was hopeful that the issue would be resolved satisfactorily for all concerned.

On Thursday, May 2, at 12:02 pm, Mr. Mitchell sent me the following text message while I was in the white-collar conference: "We have to talk. Not good. Please call me when you have some time by yourself. Thanks." I was so shaken up by the message that I immediately stepped out of the conference and called him. Mr. Mitchell's tone was bullying and abusive, like he had been during his call after [REDACTED] interview. He began by saying that I had acted inappropriately during the [REDACTED] interview, that I had taken [REDACTED] up to my apartment, and that I "might know technical things, but I was not very smart." He told me that the decision had been made to fire me. I had until the next day to resign, and that was not negotiable. He said that if I did not immediately resign, [REDACTED] would file a sexual harassment complaint, it would be made public, and the Cabinet would call an emergency meeting and fire me without hearing my side of the story.

On that call, Mr. Mitchell also said he had drafted a resignation letter from me to the governor explaining that I was resigning to take care of my ill parents, and he would email it to me as soon as we got off the phone. He said I had no choice - the decision had been made. If I did not resign by Friday, I would not have an opportunity to defend myself, and I would be publicly humiliated. I told him I would not resign. He said I should read the letter he was about to send, and then hung up. He emailed me the letter minutes later; the email's subject was "alzheimers" (the letter is included with this submission).

I quickly sent Mr. West a text message, and left him a voicemail asking that he call me. He replied that he would call me later. He called back at around 4:00 pm., and was surprisingly friendly. I began by saying, "I assume you've spoken with Paul [Mitchell]?" Mr. West said he had not, and was clearly confused. I said Mr. Mitchell had told me I had to resign by Friday. Mr. West's friendly tone immediately changed, and he said that if Mr. Mitchell said I had to resign, I had to resign. Mr. West repeated several times that I had invited [REDACTED] up to my apartment. Every time I tried to remind him of the benign circumstances, he replied that they were irrelevant - I had invited [REDACTED] up to my apartment.

At about 5:00 pm, I was surprised to see an email [REDACTED] had sent to OFR senior managers and my executive staff, copying [REDACTED] and me. The email informed the recipients that [REDACTED] [REDACTED] [REDACTED] doing special projects. I quickly called [REDACTED] who informed me that Mr. West had approved the reassignment plan, and that [REDACTED] had executed it together. [REDACTED] said [REDACTED] seemed to be happy with the way everything had been handled. It was obvious to me that Mr. West had decided [REDACTED] [REDACTED] [REDACTED] to [REDACTED] job and diffuse the situation was the best course of action, and [REDACTED] and [REDACTED] had successfully executed the plan, until Mr. Mitchell intervened. I believe that Mr. Mitchell took steps to encourage [REDACTED] to file a sexual harassment claim after [REDACTED] became aware of [REDACTED] concerns and insisted they be used to remove me from office, as retribution for not hiring his [REDACTED] or so that the next OFR commissioner would hire [REDACTED]



On Monday, May 6, I asked Mr. West to meet with me, which he did. I reiterated that I had no idea I had made [REDACTED] uncomfortable, apologized profusely, and said that [REDACTED] and [REDACTED] had informed me that [REDACTED] seemed to be happy in [REDACTED] new job. I said I would be very careful to ensure that nothing I said or did could be misinterpreted or make anyone uncomfortable in the future, and offered to take sensitivity training at my own expense.

I said that I would not resign, and that I wanted to tell the inspector general the whole story. Mr. West pressed me to explain what I meant, and I said that Mr. Mitchell's claim that I had acted inappropriately with [REDACTED] was contrived. I said that Mr. Mitchell had acted unethically, if not illegally, by insisting that [REDACTED] qualifications were irrelevant, and that I was just supposed to hire [REDACTED]. Mr. West replied, "Forget about [REDACTED]. And you didn't hire [REDACTED] anyway, did you?"

Over the next week, [REDACTED] advised me on a daily basis that [REDACTED] checked in with [REDACTED] and as far as [REDACTED] could tell [REDACTED] was pleased with [REDACTED] new position and doing well. I was comforted by that information.

On Wednesday, May 8, Mr. Mitchell, obviously angered that I had not resigned, sent me a text message (see screenshots submitted with this statement) with an implicit threat that he would call my father and tell him about the sexual harassment allegation: "Started to call your dad to check with him - thought about it and hit pause as I wasn't sure you had shared all that's going on with him or not..Once the process starts, there's nothing anyone can do to stop it or reverse it...If you'd like to talk, I'm here."

I replied to the text and said that I would be happy to talk in person, but I did not want to talk on the phone. I did so because he had been so abusive in our last conversation, and I did not think he would be able to act that way in person.

The next day, May 9, Mr. Mitchell sent several more text messages asking that we talk. I repeated that I did not want to talk on the phone, but I would speak to him in person. Finally, he sent a text message explicitly threatening to call my father: "It's time for you to pick up the phone and call your dad - or I will. It is unfair for your parents, who are such lovely people, to find out after the news has broken." I did not respond.

On Friday, May 10, [REDACTED] informed me that [REDACTED] was filing a sexual harassment complaint and that CFO Patronis would publish it the next day. However, [REDACTED] said that none of this would happen if I resigned. I refused to do so. [REDACTED] spent at least 15 minutes trying to convince me to resign. [REDACTED] complaint was filed on May 10 - twelve days after our lunch, and eight days after [REDACTED] had been moved to another job without incident. I believe [REDACTED] was manipulated at the behest of Mr. Mitchell and [REDACTED] in an obvious attempt to increase the pressure on me to resign because I had refused to hire [REDACTED]. I also believe that the public release of [REDACTED] email to Mr. West, and the ensuing media campaign against me, including an article that incorrectly reported that I had falsified my resume, and that I had been fired from my last job for sexual harassment, are part of the same unscrupulous pressure tactics, likely at the direction of Mr. Mitchell.

In an obvious effort to increase the pressure, on Wednesday, May 22, at 1:28 pm, Mr. Mitchell sent my 84 year-old father a text message. Mr. Mitchell had never called or texted my father, and I do not know how he obtained my father's cell phone number. Mr. Mitchell's message said that I had not taken his friendly advice, and that he thought I "might have one last chance to best deal with this." The message included Mr. Mitchell's phone numbers and asked my father to call him. My father did not respond (a screenshot of the text message is submitted with this statement).

At 4:58 pm that day, Mr. Mitchell called my father's cell phone. During the call, which lasted over 15 minutes, Mr. Mitchell said I had made many inappropriate statements and committed many inappropriate acts, any one of which might be explained, but when taken together made me unqualified to be OFR commissioner. My father's assistant, who was listening to the call on speakerphone, asked about [REDACTED] Mr. Mitchell did not respond, and quickly changed the subject. Mr. Mitchell said the Cabinet would meet on June 4 and that the Cabinet members had already decided to fire me at that meeting. He said there would be reporters at the meeting, I would be present, and I would be publicly humiliated. He said that all of this could still go away quietly if I resigned. Following the call, my father's assistant helped my father block Mr. Mitchell's phone number.

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[REDACTED]

**WILEY**

[illegible]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

- Performed legal research on Board of Trustees agenda items including the Sunshine Law, parliamentary procedure, requests for proposals and growth & development issues
- Drafted and reviewed contracts pertaining to student programs, affiliation agreements, vendor services, and the employee health plan
- Drafted litigation pleadings for pending cases

- Developed and taught Legal Writing & Research I & II
- Assisted the Moot Court & Mock Trial teams in preparation for academic competition
- Provided extensive pro bono legal services in the community

- Analyzed environmental and land use issues presented to the Governor and Cabinet for decision
- Prepared briefing notes summarizing the issues and recommending appropriate courses of action
- Conducted meetings at which public testimony was taken
- Worked with agency staff to mediate controversial issues
- Represented the department at administrative rule hearings and legislative committee meetings
- Drafted legal opinions concerning proposed legislation and administrative rules

- Assisted corporate clients with obtaining development related permits from the Department of Environmental Protection and Department of Community Affairs
- Drafted mitigation plans for wetland impacted areas
- Defended administrative challenges to permits
- Represented property casualty and life and health carriers before the Office of Insurance Regulation
- Advised clients on licensure requirements and regulatory compliance
- Proactively monitored proposed agency rules and legislation having a potential impact on clients
- Assisted in administrative challenges to proposed rules
- Drafted legislation and testified at committee meetings
- Prepared and filed business formation documents for LLCs, LLPs, and non-profit corporations

Governor:

This is the most difficult letter I have ever had to write, but after much struggling and consideration, I have concluded that resigning as Commissioner is the best decision I can make. Almost a year ago, when I first applied for the job as Commissioner of the Office of Financial Regulation, I could think of no challenge that I would rather take on, that had more meaning and could provide more personal and professional satisfaction for me than the job of Commissioner. It was the honor of a lifetime to have been selected by you and the members of the Financial Services Commission. I have spent the last four months so impressed by the energy, passion and vision you and the members of the Cabinet have put forth in your new roles as leaders of this great state. Missing out on the opportunity to work with four remarkable elected officials makes this decision that much harder.

Since taking the job as Commissioner, I have had to face some unfortunate facts regarding the health and well-being of members of my family. As I have worked hard to keep my priority of serving you and the people of Florida in check, I have struggled more and more to also provide the time and care to those who should be my ultimate priority - my family.

You, CFO Patronis, General Moody and Commissioner Fried hired me with the appropriate expectation that I would be able to dedicate my full time and attention to your priorities of fighting financial fraud, creating a healthy and robust market where a fin tech industry could thrive and working to find a solution to the problem of banking medical marijuana. Those issues are too important to be performed by someone who is also struggling to provide necessary assistance to people I so dearly love and whom also need my full attention. As I struggled to try to accomplish both well, it has become abundantly clear that I can do neither as well as is needed. One must win out, and for me, this very personal decision must be my family.

I thank you for the confidence you placed in me and will be forever appreciative of the chance to serve the Financial Services Commission and the citizens of Florida. As my office is administratively housed under the Department of Financial Services, I will work with the CFO's staff on the specifics of my departure date, but please know that I can stay on while you begin the process of finding a new Commissioner, and will continue to assist you and the Commission in any way I can.

Here's wishing you and the Cabinet the very best over the next four years as you work hard to make Florida a better place for us all to live.

With gratitude,

Ron Rubin  
Commissioner



1:56

LTE



Paul

Wed, May 6, 10:43 AM

Just checking in - hoping you're ok. Got worried about you after our call last week. Started to call your dad to check with him - thought about it and hit pause as I wasn't sure you had shared all that's going on with him or not. I don't have a very good feeling about any of this, Ron. Once the process starts, there is nothing anyone can do to stop it or reverse it. Same offer as always: if you'd like to talk, I'm here.

If you're feeling better and you're near the Capitol and want to talk, I'm around. Please do not contact my father. Thanks.

Thu, May 6, 10:55 AM

You available in a few minutes?

Where?



1:57

4G LTE



Paul

Where?

Phone call. ???

I don't want to talk on the phone.

What????

Kind of a busy crazy day for me.

I have a conf call at 230 - and a meeting at 330 and 4-5 and then a 530. I'd suggest a call between now and 230. Up to you.

Thu, May 9, 4:05 PM

My 4 got moved to 430. Can you talk? Just want to give you a heads up.

Where?

Delivered

On the phone, see if you can't



Messages



1:31

4G LTE



Paul

then a 530. I'd suggest a call  
between now and 230. Up to  
you.

May 12, 2011

My 4 got moved to 430. Can  
you talk? Just want to give you  
a heads up.

Where?

Delivered

On the phone, ron. If you can't  
talk via phone, don't worry  
about it. I tried.

May 12, 2011

It's time for you to pick up the  
phone and call your dad - or I  
will. It is unfair for your parents,  
who are such lovely people, to  
find out after the news has  
broken. I tried warning you and  
you refused to listen. You have  
brought this on yourself. Good  
luck to you. Paul



Sent from my iPhone

2:36



+1 (850) 459-3519 >

iMessage

Wednesday 1:28 PM

Mr Rubin - if you have a minute, I would love a chance to speak with you about what's going on with Ron, and a suggestion on how best to resolve this. Ron wouldn't take my advice that I offered in friendship before it all blew up, so now I'm hoping he will listen to you as I think he might have one last chance to best deal with this. If you are available and would give me a few minutes, I would like to offer my advice to you - and if you like it, you can offer it to Ron. This is my cell or at the office 850-671-4401. Thanks! Paul Mitchell.



iMessage



# Exhibit B-3

## Commissioner Rubin's June 21, 2019 Statement

---

**Date of Activity:** June 21, 2019

**Preparer** BP

**Exhibit Prepared by:** Bradley Perry

**Reviewer** BP

**Attachment Received from:** Michael Tein, Esq., Attorney Counsel  
for Commissioner Rubin

|                           |                   |   |
|---------------------------|-------------------|---|
| <b>Case Number:</b> 19069 | <b>Exhibit:</b> B | <b>Attachment:</b> B-3, Commissioner Rubin's<br>June 21, 2019 Statement |
|---------------------------|-------------------|---|

THIS REPORT MAY CONTAIN INFORMATION THAT IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE  
LAW. DO NOT RELEASE WITHOUT PRIOR COORDINATION WITH THE OFFICE OF INSPECTOR GENERAL.



## Perry, Bradley

---

**From:** Mike Tein <tein@teinmalone.com>  
**Sent:** Friday, June 21, 2019 4:57 PM  
**To:** Perry, Bradley  
**Subject:** FW: Commissioner Ronald Rubin OFR  
**Attachments:** 2019-06-21 Response to IG Interrogatories.pdf

Dear Inspector General Perry –

This firm has replaced Coffey Burlington as counsel to Commissioner Rubin.

Attached hereto please find his sworn answers to your interrogatories. Please call me if I can be of any further assistance.

Very truly yours,

Michael Tein, Esq.  
Tein Malone, PLLC  
3059 Grand Avenue  
Coconut Grove, FL 33133  
(305) 442-1101  
[www.teinmalone.com](http://www.teinmalone.com)

**From:** "Daniel F. Blonsky" <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Date:** June 10, 2019 at 4:56:28 PM EDT  
**To:** "Perry, Bradley" <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Subject:** Re: Commissioner Ronald Rubin OFR

Thanks

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: "Perry, Bradley" <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
Date: 6/10/19 6:39 AM (GMT-07:00)  
To: "Daniel F. Blonsky" <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
Subject: RE: Commissioner Ronald Rubin OFR

Mr. Blonsky,

That will be fine - I will look forward to your response by June 21.

Enjoy the Father's Day weekend.

Regards,  
Bradley

**Bradley Perry**

Inspector General, Office of Inspector General  
Florida Office of Financial Regulation  
200 E. Gaines Street  
Tallahassee, FL 32399-0370  
Office: (850) 410-9696  
Direct: (850) 410-9674  
Email: [bradley.perry@flofr.com](mailto:bradley.perry@flofr.com)  
[www.flofr.com](http://www.flofr.com)  
Follow us! [@FIFinancialReg](https://twitter.com/FIFinancialReg)



---

**From:** Daniel F. Blonsky [<mailto:dblonsky@coffeyburlington.com>]  
**Sent:** Friday, June 7, 2019 4:19 PM  
**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Subject:** Re: Commissioner Ronald Rubin OFR

I will be out of the office on vacation, returning June 19, and will have limited access to email in my absence. I ask that Commissioner Rubin be given until the close of business on June 21 to provide you with the verified response you requested.

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: "Perry, Bradley" <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
Date: 6/7/19 7:25 AM (GMT-05:00)  
To: "Daniel F. Blonsky" <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
Cc: "Shoaf, Mike" <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>, Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>, "Jared W. Whaley" <[jwhaley@coffeyburlington.com](mailto:jwhaley@coffeyburlington.com)>  
Subject: RE: Commissioner Ronald Rubin OFR

Mr. Blonsky:

Thank you for your patience. At this time, I request Commissioner Rubin to provide a statement and answers responsive to the request in the attached document. The Word version may be edited for spacing and formatting as needed.

Please remind Commissioner Rubin that, per agency policy, all employees are required to cooperate with official Office of Inspector General (OIG) investigations to ensure that relevant, true, and accurate information is presented to management. A willful and unjustified refusal to cooperate can be a basis for disciplinary action up to, and including, termination of employment.

This investigation is active and ongoing and is therefore confidential. Further, Commissioner Rubin may not disclose any statements made, testimony provided, or evidence given to the OIG to anyone except his legal counsel or representative. Disclosure of confidential information may result in disciplinary action as provided by agency policy and procedures.

Kindly return his statement to me no later than 8:00 am, Wednesday, June 12, 2019.

Regards,  
Bradley

**Bradley Perry**

Inspector General, Office of Inspector General  
Florida Office of Financial Regulation  
200 E. Gaines Street  
Tallahassee, FL 32399-0370  
Office: (850) 410-9696  
Direct: (850) 410-9674  
Email: [bradley.perry@flofr.com](mailto:bradley.perry@flofr.com)  
[www.flofr.com](http://www.flofr.com)  
Follow us! [@FIFinancialReg](https://twitter.com/FIFinancialReg)



---

**From:** Perry, Bradley  
**Sent:** Tuesday, June 4, 2019 9:32 AM  
**To:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>; Jared W. Whaley <[jwhaley@coffeyburlington.com](mailto:jwhaley@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Mr. Blonsky:

Thank you for your letter outlining your concerns.

Per agency policy, I will ensure Commissioner Rubin is provided an opportunity to respond to all allegations under the scope of this investigation before its conclusion.

To date, I have interviewed a number of current and non-OFR employees. Those interviews have yielded concerns which, at this time, fall chiefly under the attached policies, Administrative Policies & Procedures 5-24 (Sexual Harassment and Other Acts of Discrimination); 5-26 (*see 'governing standards of conduct'*); 1-15 (DFS Code of Ethics); and 1-2 (OFR Ethics and Professional Responsibility).

Sincerely,  
Bradley

**Bradley Perry**

Inspector General, Office of Inspector General  
Florida Office of Financial Regulation  
200 E. Gaines Street  
Tallahassee, FL 32399-0370  
Office: (850) 410-9696  
Direct: (850) 410-9674  
Email: [bradley.perry@flofr.com](mailto:bradley.perry@flofr.com)  
[www.flofr.com](http://www.flofr.com)  
Follow us! [@FIFinancialReg](https://twitter.com/FIFinancialReg)



---

**From:** Daniel F. Blonsky [<mailto:dblonsky@coffeyburlington.com>]  
**Sent:** Friday, May 31, 2019 2:21 PM  
**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>; Jared W. Whaley <[jwhaley@coffeyburlington.com](mailto:jwhaley@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Please see the attached letter.

Daniel F. Blonsky  
**COFFEY | BURLINGTON**  
2601 South Bayshore Drive, Penthouse  
Miami, Florida 33133  
T. 305-858-2900  
F. 305-858-5261  
[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)

=====

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Thank you.

---

---

**From:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Sent:** Thursday, May 30, 2019 11:12 AM  
**To:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Mr. Blonsky:

Please accept my apologies for the delay.

I'm unable to release any information at this time; I hope to respond again shortly about next steps.

Sincerely,  
Bradley

**Bradley Perry**

Inspector General, Office of Inspector General  
Florida Office of Financial Regulation  
200 E. Gaines Street  
Tallahassee, FL 32399-0370  
Office: (850) 410-9696  
Direct: (850) 410-9674  
Email: [bradley.perry@flofr.com](mailto:bradley.perry@flofr.com)  
[www.flofr.com](http://www.flofr.com)  
Follow us! [@FIFinancialReg](https://twitter.com/FIFinancialReg)



---

**From:** Daniel F. Blonsky [<mailto:dblonsky@coffeyburlington.com>]  
**Sent:** Thursday, May 30, 2019 8:37 AM  
**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR



Mr. Perry:

I have not received a response to my email below from yesterday afternoon. On behalf of Commissioner Rubin, we hereby request immediate receipt of "the Inspector General's preliminary findings" and any other briefing materials provided at least to the CFO and to the Secretary of Agriculture, according to their public statements (and perhaps to others).

Daniel F. Blonsky  
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F. 305-858-5261  
[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)

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Thank you.

=====

---

**From:** Daniel F. Blonsky  
**Sent:** Wednesday, May 29, 2019 3:25 PM  
**To:** 'Perry, Bradley' <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Cc:** 'Shoaf, Mike' <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Mr. Perry:

CFO Patronis' press release today stated that he received "a briefing of the Inspector General's preliminary findings of the recent allegations against Mr. Rubin." On behalf of Commissioner Rubin, please advise if any preliminary findings were, in fact, provided to the CFO prior to the submission of the commissioner's statement yesterday and, if so, when exactly those preliminary findings were provided.

Daniel F. Blonsky  
**COFFEY | BURLINGTON**  
2601 South Bayshore Drive, Penthouse  
Miami, Florida 33133  
T. 305-858-2900  
F. 305-858-5261  
[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)

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notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message.

Thank you.

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**From:** Daniel F. Blonsky  
**Sent:** Wednesday, May 29, 2019 2:00 PM  
**To:** 'Perry, Bradley' <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Mr. Perry:

There was one error in Commissioner Rubin's statement from yesterday. Attached is a corrected statement. The only change is on the last paragraph on page 4, which corrected the date of the referenced call. In reviewing his phone records, Commissioner Rubin confirmed that the call was on the evening of March 21, rather than on March 24. Sorry for any confusion.

Daniel F. Blonsky  
**COFFEY | BURLINGTON**  
2601 South Bayshore Drive, Penthouse  
Miami, Florida 33133  
T. 305-858-2900  
F. 305-858-5261  
[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)

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Thank you.

=====

---

**From:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Sent:** Tuesday, May 28, 2019 11:29 AM  
**To:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Mr. Blonsky:

Confirming receipt of your e-mail and its attachment. Upon review, I will respond again to you and hope to do so without delay.

Thank you,  
Bradley

**Bradley Perry**

Inspector General, Office of Inspector General

Florida Office of Financial Regulation

200 E. Gaines Street

Tallahassee, FL 32399-0370

Office: (850) 410-9696

Direct: (850) 410-9674

Email: [bradley.perry@flofr.com](mailto:bradley.perry@flofr.com)

[www.flofr.com](http://www.flofr.com)

Follow us! [@FIFinancialReg](https://twitter.com/FIFinancialReg)



---

**From:** Daniel F. Blonsky [<mailto:dblonsky@coffeyburlington.com>]

**Sent:** Tuesday, May 28, 2019 11:22 AM

**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>

**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>

**Subject:** RE: Commissioner Ronald Rubin OFR

Dear Mr. Perry:

Attached is Commissioner Rubin's statement, along with its four referenced attachments. The statement is intended to address the publicly released complaint and emails, which is all that we currently know to have been submitted in connection with the investigation. We are happy to supplement it if other matters need to be addressed. The submission of this statement is without prejudice to and with full reservation of Commissioner Rubin's due process rights. He is available for an interview with the Inspector General at a mutually convenient time later this week. Please coordinate such an interview with my office.

Thank you for your cooperation with this matter.

Daniel F. Blonsky

**COFFEY | BURLINGTON**

2601 South Bayshore Drive, Penthouse

Miami, Florida 33133

T. 305-858-2900

F. 305-858-5261

[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)

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Thank you.

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---

**From:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Sent:** Wednesday, May 22, 2019 9:19 AM  
**To:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

I also understand your position. At this time, I can only confirm there is an open, active and ongoing investigation. Mr. Rubin will be afforded an opportunity to respond before the conclusion of the investigation.

Your client may provide a statement now, if he wishes to do so.

Sincerely,  
Bradley

**Bradley Perry**

Inspector General, Office of Inspector General  
Florida Office of Financial Regulation  
200 E. Gaines Street  
Tallahassee, FL 32399-0370  
Office: (850) 410-9696  
Direct: (850) 410-9674  
Email: [bradley.perry@flofr.com](mailto:bradley.perry@flofr.com)  
[www.flofr.com](http://www.flofr.com)  
Follow us! [@FIFinancialReg](https://twitter.com/FIFinancialReg)



---

**From:** Daniel F. Blonsky [<mailto:dblonsky@coffeyburlington.com>]  
**Sent:** Tuesday, May 21, 2019 4:00 PM  
**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Thanks for getting back to me and I understand. However, we would like to know the scope of the investigation generally so that Commissioner Rubin knows what needs to be covered in his statement. For instance, we have seen a formal discrimination complaint signed on May 10, which we understand to be a subject of the investigation, but we have also seen 2 emails dated May 13. I don't know whether those emails are also being investigated and require response or whether that would not be necessary. I would also like a sense of the timing and when you would want a statement provided. I am happy to discuss if that would be easier.

Daniel F. Blonsky  
**COFFEY | BURLINGTON**  
2601 South Bayshore Drive, Penthouse  
Miami, Florida 33133  
T. 305-858-2900  
F. 305-858-5261  
[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)

=====

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Thank you.

=====

---

**From:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Sent:** Tuesday, May 21, 2019 2:50 PM  
**To:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Cc:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>; Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** RE: Commissioner Ronald Rubin OFR

Mr. Blonsky:

Thank you for providing notice of your representation. Captain Shoaf is providing investigative assistance to my office, which is conducting this investigation.

While I cannot share information concerning this open and ongoing matter, your client may provide a statement.

Please let me know if you have any questions.

Thank you,  
Bradley

**Bradley Perry**  
Inspector General, Office of Inspector General  
Florida Office of Financial Regulation  
200 E. Gaines Street  
Tallahassee, FL 32399-0370



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[www.flofr.com](http://www.flofr.com)  
Follow us! [@FIFinancialReg](https://twitter.com/FIFinancialReg)



---

**From:** Shoaf, Mike  
**Sent:** Monday, May 20, 2019 2:56 PM  
**To:** Perry, Bradley <[Bradley.Perry@flofr.com](mailto:Bradley.Perry@flofr.com)>  
**Subject:** FW: Commissioner Ronald Rubin OFR

See below.

---

**From:** Daniel F. Blonsky <[dblonsky@coffeyburlington.com](mailto:dblonsky@coffeyburlington.com)>  
**Sent:** Monday, May 20, 2019 2:54 PM  
**To:** Shoaf, Mike <[Michael.Shoaf@myfloridacfo.com](mailto:Michael.Shoaf@myfloridacfo.com)>  
**Cc:** Kendall Coffey <[kcoffey@coffeyburlington.com](mailto:kcoffey@coffeyburlington.com)>  
**Subject:** Commissioner Ronald Rubin

Dear Captain Shoaf:

As we advised the General Counsel's office last Friday, this firm is representing Commissioner Ronald Rubin in connection with any Inspector General investigation into complaints that may have been filed regarding Commissioner Rubin. When you have an opportunity, I would like to speak with you to obtain an understanding as to where the investigation stands, and we request the opportunity for Commissioner Rubin to provide a statement or interview when you deem it appropriate. Thank you for your attention to this matter and we look forward to working with you.

Daniel F. Blonsky  
**COFFEY | BURLINGTON**  
2601 South Bayshore Drive, Penthouse  
Miami, Florida 33133  
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## RESPONSE TO JUNE 7, 2019 INTERROGATORIES

### Objections

I hereby reiterate my objection to the investigative process being utilized in this matter. As stated in the May 31, 2019 letter from Daniel Blonsky, Esq. to Bradley Perry, Esq., I have been denied due process by being consistently deprived of any meaningful opportunity to be informed of and respond to the allegations against me. Although I have repeatedly requested (through counsel) information as to the scope of the investigation, and a copy of the “preliminary report” that was issued and disseminated – without providing me an opportunity to respond to the allegations – those requests were denied. Instead, I have been advised that I must respond, in writing and under oath, to dozens of interrogatories, many of which are plainly hostile and/or downright offensive and have no potential relevance to the complaint of alleged “sexual harassment”<sup>1</sup> that reportedly sparked this investigation. And I have been advised that, if I fail to fully respond, I may be subjected to disciplinary action, including possible termination.

In addition to violating my procedural due process rights, an investigation conducted by the Inspector General (IG) for the Office of Financial Regulation (OFR) presents a serious and troubling conflict of interest. As I reported in my written statement that was provided to the IG on May 28, 2019 (the “Statement”), there is credible evidence of wrongdoing – including a gross abuse of power – by Chief Financial Officer Patronis, who has publicly referred to the IG who he directed to investigate this matter as “my Inspector General.” Due to this apparent conflict of interest and appearance of impropriety, the OFR IG should recuse himself and this matter should be investigated by an impartial authority, namely the Chief Inspector General for the State of Florida.

My responses below are subject to and without waiving the foregoing objections.

### Preliminary Statement

I have responded to the IG’s interrogatories based on my current recollection of events and review of documents and communications in my possession, and my limited knowledge of the allegations made against me. Because the IG has denied my repeated requests for additional information concerning the scope of the investigation, the only specific allegations of which I’m currently aware are those contained in the redacted documents posted on the public website of CFO Patronis, specifically the complaint dated May 10, 2019, which reportedly sparked this investigation, and the two follow-on emails dated May 13, 2019. As my requests for additional information have been denied, and many of the questions posed are vague and ambiguous, my ability to respond fully and completely is necessarily limited. Additionally, a number of the interrogatories concern

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<sup>1</sup> The allegations in [REDACTED]’s complaint do not constitute actionable “sexual harassment.” See, e.g., *Herron v. Morton*, 155 F. App’x 423, 426 (11th Cir. 2005) (“[I]n order for conduct to rise to the level of sexual harassment, the conduct must include ... conduct of a sexual nature, and innocuous statements or conduct, or boorish ones that do not relate to the sex of the actor or of the offended party (the plaintiff), are not counted.”); see also *Byrd v. Postmaster Gen.*, 582 F. App’x 787, 792 (11th Cir. 2014); *Agee v. Potter*, 216 F. App’x 837, 840 (11th Cir. 2007); *Venerio v. Fed. Express Corp.*, 2018 WL 5283876, at \*7-8 (S.D. Fla. Sept. 17, 2018).

incidents of such a trivial nature that I would have no reason to remember them (assuming they occurred).

I also note that a number of the interrogatories posed inaccurately assume that my condominium unit at Plaza Towers was my "personal residence" during the months of February, March and April 2019. It was not. I was appointed OFR Commissioner on Tuesday, February 26, 2019. I did not relocate to Tallahassee (from Washington, DC) until the weekend of March 2 and 3. From March 3 to April 30, my personal residence was a temporary rental apartment in Tallahassee. I purchased my unfinished Plaza Towers condominium unit in April. As described in my Statement, a considerable amount of work, including painting and installing floors, had to be done before the unit became habitable. I did not reside in the unit until May 1, 2019.

#### Response to Interrogatories

1. This response is provided by Ronald Rubin, Commissioner, Florida Office of Financial Regulation, 300 S. Duval St., Apt. 2001, Tallahassee, FL 32301.

2. During the past 10 years, I have been employed by:

State of Florida, Office of Financial Regulation (Feb. 26, 2019 to present)  
The Fletcher Building, Suite 526  
200 East Gaines Street  
Tallahassee, FL 32399

Self-employed Freelance Writer (Oct. 2015–Jan. 2019)  
Authored influential articles on consumer financial regulation and securities regulation for national publications

U.S. House of Representatives, Committee on Financial Services (April 2015–Sept. 2015)  
2129 Rayburn House Office Building  
Washington, DC 20515

Hunton & Williams LLP (Sept. 2012–April 2015)  
2200 Pennsylvania Avenue NW  
Washington DC 20037

Consumer Financial Protection Bureau (May 2011–Sept. 2012)  
1700 G Street NW  
Washington DC 20552

Tannenbaum Helpert Syracuse & Hirschtritt LLP (Sept. 2008–May 2011)  
900 Third Avenue  
New York, NY 10022

Other organizations or entities for which I have done volunteer work during the past 10 years are as follows:

Advisory Neighborhood Commission 2F (Jan. 2017–Apr. 3, 2019)  
5 Thomas Circle, NW  
Washington, DC 20005

This is an unpaid neighborhood organization that meets publicly on the first Wednesday of every month. I retained my position as commissioner until I was able to attend a meeting in person on April 3, 2019 to announce my resignation because I felt it was important to do so at a public meeting so I could express to the community how honored I was to have served as a commissioner and how much the community meant to me. (I was unable to attend the March 6th meeting because I was in Tallahassee.)

Marco Rubio 2016 Campaign Volunteer (Jan. 2016–Mar. 2016)

3. I have never been terminated from employment. The only times anyone has tried to force me to resign my employment were when: (a) Mr. Mitchell did so in a telephone call on May 2, 2019, as described in my Statement; (b) [REDACTED] asked me to resign on the morning of May 10, 2019 and said that, if I did so, [REDACTED] would not file a sexual harassment complaint; and (3) CFO Patronis issued a press release calling for my resignation on May 29, 2019 and again called for my resignation during a media session following the June 4, 2019 Cabinet meeting. Mr. Mitchell also called my father on May 22 to put additional pressure on me to resign, after sending me text messages on May 8 and May 9 (copies of which were attached to my Statement) threatening to call my father to tell him "all that's going on."
4. I have never had adjudication withheld, entered a plea of "nolo contendere," or been found guilty of a crime that involved dishonesty or a false statement.
5. I am aware of the following communications between Mr. Mitchell and OFR employees:

[REDACTED] and Mr. Mitchell both informed me that they had discussed me before I interviewed [REDACTED] on [REDACTED] It was my impression that these were not short conversations.

At 7:27 pm on March 25, I texted Mr. Mitchell "I assume you talked to [REDACTED]" At 9:22 pm, he replied, "I didn't but texted with [REDACTED] and [REDACTED] said it went great! 😊😊😊"

During my May 2 telephone call with Mr. Mitchell, in which he told me that I had to resign as OFR commissioner (as described in my Statement), he screamed at me that [REDACTED] was my "third strike," and that the first two strikes were [REDACTED] and [REDACTED] I told Mr. Mitchell that the first time [REDACTED] or anyone else had so much as hinted that I had said anything inappropriate during [REDACTED] interview was on [REDACTED] (over a month after the interview), and that [REDACTED] refused to tell me what I'd said that made [REDACTED] uncomfortable. I reminded Mr. Mitchell that [REDACTED] had told him [REDACTED] interview had gone very well, and I asked him why [REDACTED] had accepted the job if [REDACTED] had in fact been offended by something I said during the interview. He replied, "Because I begged [REDACTED] to take the job!" When I asked [REDACTED] a few days later whether Mr. Mitchell had "begged [REDACTED] to take the job," [REDACTED] responded that [REDACTED] had a long conversation with him before [REDACTED] interview, but [REDACTED] hadn't spoken with him after the interview.

Other OFR Employees: Mr. Mitchell often told me he had been a senior official (chief of staff) in OFR's predecessor agency (the Department of Insurance), and that he had played a major role in creating the agency. He said he knew many current OFR employees who had "worked for him" during that time. In April, Mr. Mitchell brought to OFR three representatives of his client Wells Fargo to discuss the bank's initiatives to prevent elder financial fraud. Before leaving the office, Mr. Mitchell greeted several longtime OFR

employees like old friends. To the best of my recollection, those employees included Caroline Holmes, [REDACTED] Alisa Goldberg, Greg Oaks, and possibly [REDACTED] and [REDACTED].

I believe Mr. Mitchell also contacted [REDACTED] several times to schedule his own Wells Fargo visit, and to schedule [REDACTED] interview. He also spoke with Mr. Oaks about me after my first senior staff meeting on February 26, 2019.

6. [REDACTED] has personal knowledge about [REDACTED] communications with Mr. Mitchell, and [REDACTED] may have knowledge that he communicated with other OFR employees as well.

Other than as described above, I do not currently know which other OFR employees Mr. Mitchell has communicated with.

7. Without access to my OFR email and employee records, I cannot list every OFR employee who has separated during my tenure as OFR commissioner. Below is a list of the separated employees I recall, and a summary of the circumstances surrounding their separation.

Pamela Epting, Deputy Commissioner, informed me on March 4, 2019 that she planned to retire. She announced her retirement shortly thereafter and left the office several weeks later, in April.

Steve Horn, Director of the Financial Institutions Division, announced his retirement in early March and separated a short time later.

Lee Kell, Director of OFR's Securities Division, announced his retirement shortly after Mr. Horn announced his and separated shortly thereafter.

Steve Masterson, Securities Division lawyer, announced his retirement in March and separated in late April.

An [REDACTED] who reported to [REDACTED] (and whose name I don't recall) was allowed to resign in lieu of being terminated. During a phone call on Friday, March 1, Ms. Epting advised me that, in late 2018 and/or early 2019, a friend of this [REDACTED] had twice reported to DFS HR Administrator [REDACTED] Moyer that the [REDACTED] had used "the n-word" and homophobic slurs in his office. Although Ms. Moyer recommended termination on both occasions, [REDACTED] overruled her, ordering the [REDACTED] to take sensitivity training on the first occasion and suspending [REDACTED] for five days on the second. After discussing the matter with Ms. Moyer on March 4, I told [REDACTED] that I wanted to revoke [REDACTED] decision and terminate the employee. I did so, and the employee eventually had a hearing. Although I ruled that [REDACTED] should be terminated, I allowed [REDACTED] to resign in lieu of termination.

A lawyer in the Securities Division in OFR's Tallahassee office (whose name I don't recall) resigned to take another job in April.

A credit union expert in the Financial Institutions Division in OFR's Tallahassee office (whose name I don't recall) retired at the end of April.



An employee in Greg Oaks' division (whose name I don't recall) did not come to work for almost two months. The employee had some ongoing domestic violence issue, which included a criminal charge. Mr. Oaks and DFS HR personnel were in the process of terminating this employee, but I don't know whether the process had concluded before I left my office on May 10.

8. I traveled by automobile to the March 14, 2019 Palm Beach Alzheimer's fundraiser.
9. I did not travel between Tallahassee and West Palm Beach for the March 14th Alzheimer's event. Rather, I traveled from Tallahassee to West Palm Beach on the evening of March 13th to conduct a "town hall" meeting with OFR employees in OFR's West Palm Beach office during business hours on March 14th and then attended the Alzheimer's event that evening. I drove the same rental car to the event that I'd used to travel to OFR's office earlier that day (thereby incurring no additional travel costs).

Moreover, based on my role in introducing the governor and my speech to the audience about OFR's and the Cabinet's senior financial fraud prevention initiatives, I believe the Alzheimer's event qualifies as work-related.

10. As described below, [REDACTED]  
[REDACTED] visited my uninhabited unit at Plaza Towers in April 2019. As described in my Statement, [REDACTED] also visited the unit for approximately 3 minutes on [REDACTED], 2019.
11. No members of my staff visited my personal residence in February, March or May 2019.
12. I have had only one [REDACTED] assigned [REDACTED] during my tenure as OFR commissioner - [REDACTED] A [REDACTED] [REDACTED] during my tenure as OFR commissioner.
13. As discussed above, the Plaza Towers unit was not my residence on April 29, 2019. I am almost certain that I removed my shoes immediately after entering the unit following lunch at Andrew's on [REDACTED] 2019.
14. To the best of my recollection, I asked the painter to remove his shoes after we entered the unit, and he did so.
15. I don't recall any other individuals entering the condominium unit with the painter and me. As discussed in my Statement, when I returned to the 20th floor of the Plaza Towers, I left [REDACTED] at the elevator and entered my unit to see whether the baseboards had been painted. After seeing that they had not, I walked to the painters working at the other end of the hall. To the best of my recollection, while I was speaking with them, the primary painter (the one I knew) emerged from the elevator and walked past [REDACTED] to my unit, I walked toward him, and the two of us entered the unit together. I believe the other painters remained at the end of the hall and did not enter the unit with us.
16. I did not request that a candidate for the [REDACTED] position be willing or able to accompany me during work-related travel. I do not consider willingness or ability to travel a prerequisite for [REDACTED]. I do note, however, that [REDACTED] indicated during [REDACTED] interview that [REDACTED] was interested in the OFR [REDACTED] because [REDACTED] thought it might lead to a [REDACTED] OFR job where [REDACTED] could utilize



pending degree ( was taking classes at night). I said I would try to educate and encourage to learn about OFR's regulated industries, and that there might be opportunities for to attend conferences, if was interested in doing so.

17. As described in my Statement, I offered the use of my Washington apartment (when I was not using it) to when told me that hoped to someday visit Washington as a tourist. Although it's possible that I offered the use of my Washington apartment to other OFR employees, I don't have any specific recollection of doing so.
18. I did not ask any OFR employee to check on (or any other OFR employee), but OFR's told me that checked on every day. Knowing this, at the end of every workday from to I asked if was happy in new job and new office because I was genuinely concerned that new work situation be as good or better than it had been before was moved on.
19. Based on my first-hand knowledge of what transpired during my lunch and other interactions with and the facts that displayed absolutely no indication was uncomfortable during our lunch or at any other time and did not claim I'd said or done anything that considered a sexual advance, I do not believe intended to file a sexual harassment complaint when spoke with on and/or. Likewise, when told me on about conversation(s) with said nothing about any alleged sexual harassment.

Additionally, since told me every weekday from to that had told was enjoying new job, and said nothing to indicate that wanted to file a sexual harassment complaint, I do not believe would have done so without prompting from someone else.

Indeed, during my midday telephone call with Mr. Mitchell on he stated that would file a sexual harassment complaint if I did not resign by May 3. Mr. Mitchell could not possibly have known mindset and intentions (before was moved to new position and office later that afternoon), particularly if he – or someone acting on his behalf – had not spoken to.

Additionally, in my conversations with between and indicated that would not file a sexual harassment complaint unless CFO Patronis and others decided they wanted to fire me (regardless of intentions). In our conversations between and made it clear that my fate was in the hands of CFO Patronis and others, and that their verdict did not depend on whether wanted to file a sexual harassment complaint.

Finally, on the morning of told me that the word had come down, presumably from CFO Patronis or his Chief of Staff Ryan West, that I would be fired. But said that, if I resigned immediately, would not file a sexual harassment complaint. These facts and the sequence of events evidence that did not decide to file a sexual harassment complaint of own volition, but rather that was manipulated into doing so as part of an effort to force my resignation as OFR commissioner.

20. I respond to the bullet-pointed list of alleged incidents as follows:

- I did not discuss my personal dating life with a candidate for OFR employment. To the best of my recollection, the only comment I made to a candidate for OFR employment that could potentially be construed as relating to my "dating life" was to jokingly state that my father hadn't given up hope that I might get married and have children.
- I did not discuss with a candidate for OFR employment physical descriptions of women my father and I preferred me to date. I may have told [REDACTED] that my father and I have never had the same taste in women, but I did not discuss physical descriptions with [REDACTED] or any other candidate for OFR employment.
- I did not discuss with a candidate for OFR employment ages of women my father preferred me to date. I did mention to [REDACTED] that my father is very much the stereotypical Jewish parent in that he wants me to have children, and hopes it is not too late for me to do so. From that, [REDACTED] may have inferred that my father would prefer I marry a woman of childbearing age.
- I did not state to a candidate for OFR employment that my father prefers dating women not older than their 30s. My father is 84, and my mother is 82. They have been married for over 60 years. To the best of my knowledge, they have been faithful to each other throughout their marriage, and my father therefore has not dated for over 60 years. To suggest otherwise is extremely offensive.
- I did not state to a candidate for OFR employment that my parents offered me money to have a child with someone. I may have joked with [REDACTED] [REDACTED] that my father would probably pay me to have children, but he has never seriously offered to do so.
- While discussing the March 14 Alzheimer's event with [REDACTED] during [REDACTED] interview, I mentioned that I had met a very attractive Jewish woman at the event. I told [REDACTED] that I had introduced the woman to my father at the event because I knew it would make him happy; that the woman later asked me to go out with her but I declined; and that I never saw the woman again. In relating these events, I showed [REDACTED] a photograph of the woman.
- I showed [REDACTED] [REDACTED] the photograph for illustrative purposes only. I did not show [REDACTED] (or any other candidate for OFR employment) the photograph as an example of "the type of women [I] preferred dating."
- I did not ask subordinate employees to move my personal belongings outside of the OFR office. On the weekend of March 2-3, 2019, I drove to Tallahassee from Washington, DC in an SUV. During this trip, I transported four oversized items: an office chair, a disassembled desk, a television, and a folding bicycle in a suitcase. At the end of March, I bought a two-seat car that was too small to carry these four items.

I had to vacate my rented residence by May 1. At some point in mid-April, I mentioned to members of my staff that I was trying to figure out a way to move the four oversized items from my old residence to my new residence, a distance of about 1.5 miles. I estimated that the move would take about 15 minutes. I believe

that [REDACTED] offered to lend me [REDACTED] pickup truck or help me move the items in [REDACTED] pickup truck during the last weekend in April, but no firm plans were made.

Shortly after [REDACTED] began working at OFR, [REDACTED] heard that [REDACTED] might help me move the four items, and informed me that doing so would look bad. Specifically, [REDACTED] said that someone might claim that [REDACTED] had received a higher-than-justified performance review or raise because [REDACTED] had helped me move the [REDACTED]. It had not occurred to me that what I considered to be a *de minimis* act might be viewed this way, but I took [REDACTED] advice and found an alternative method of transporting the items in late April.

- I did not request the use of my subordinate employee's personal vehicle to move my personal belongings. See response above.
- I was not told by a subordinate employee to not ask subordinate employees to move my personal belongings. See response above.
- I did not request that a candidate for OFR employment have a "pretty face." In conversations with [REDACTED] and [REDACTED] about what I should look for in [REDACTED], they said it was important that [REDACTED] present a "good face" for the office, and I agreed. It was understood that the term "good face" referred only to the image of the office that [REDACTED] presented to the public, and not his or her actual face.
- I did not state that I was happy to have a "pretty face" in the office. See response above.
- I did not request that subordinate employees make personal travel arrangements. On one or two occasions, after [REDACTED] and [REDACTED] told me that doing so was proper and permissible under the state's rules, I added a third leg to my airline reservations so I could stop by Washington on the weekend before or after business travel to remote locations. In all such cases, I paid for the additional cost of the ticket resulting from the additional leg, and also had OFR's travel experts confirm that the state paid for only the work-related portion of my travel expenses. Since I am very experienced in booking low-cost flights (and am very capable of, and actually enjoy, making my own personal travel arrangements), I usually reserved my own flights online and then asked [REDACTED] to confirm that the flights were proper before paying for them. On such occasions, it was impossible for [REDACTED] to reserve or book the work-related flights without also reserving or booking the personal portion of the reservation.
- I have no recollection of ever requesting that a subordinate OFR employee visit my personal residence.
- I have not accompanied subordinate OFR employees in my personal residence. I moved to Tallahassee on March 3, 2019. From that date through April 30, 2019, my personal residence was a temporary rental apartment in Tallahassee. I never accompanied any OFR employee to that apartment. As described above and in my Statement, I accompanied [REDACTED] through the uninhabited Plaza Towers unit once, for about three minutes on the way to lunch on April 29, 2019, before I

or anyone else had inhabited the unit, and before it became my personal residence.

- Around 4:00 pm on Friday, May 10, 2019, I received a call in my office from DFS employee Rick Sweet, who informed me that an OFR employee had filed a sexual harassment complaint against me, and that I should gather my belongings and leave the office without discussing the matter with any OFR employees. When I asked Mr. Sweet whether I was still the OFR commissioner, he said that I was. I also asked Mr. Sweet whether I could attend my scheduled conferences in Washington, DC the following week (for which the flights had previously been paid), and he responded that he did not know, that he had only been told that I should leave the office and not discuss the matter with other OFR employees. He gave me no other instruction.

When I took my scheduled flight to Washington early the following morning (Saturday, May 11th), I was unaware that I was on leave. After arriving in Washington, I read a news article stating I had been placed on administrative leave, but I had no idea what that meant. On Monday, May 13th, I instructed my attorney to contact DFS's general counsel and ask whether I could attend the meetings and conferences I had flown to Washington to attend. My attorney advised me that he received no response, and he recommended that I err on the side of caution and not attend these meetings and conferences (which advice I followed). On Saturday, May 18, I returned to Tallahassee on the return flight of same the ticket I had used to fly to Washington the previous Saturday.

- I did not tell a subordinate employee that bowties are worn by only three types of people: those who are gay, Muslim, or like attention. OFR's [REDACTED], often wore bowties. I once told [REDACTED] that I wore bowties when I was a summer associate in 1990, and that I had a very nice collection. I also told [REDACTED] that most people reacted favorably, but I believed that some reacted negatively because they stereotype the wearers of bowties as being associated with certain groups with which they disagree, including members of the so-called "Nation of Islam," ultra-conservatives (e.g., George Will), homosexuals, and college professors. I said I had decided to stop wearing bowties because I didn't want people to prejudge me, even if their prejudice was the product of ignorance or hate.
- I did not tell a subordinate employee I am not gay. I may have told a subordinate employee that people often assume I am gay because I am 56 years old and have never been married. I do not discuss my sex life in the office.
- I did not tell a subordinate employee that I am not Muslim. As referenced above, I told [REDACTED] that members of the so-called "Nation of Islam" (who I understand do not subscribe to the Muslim religion as commonly understood) and its leader Louis Farrakhan (who has been famously accused of anti-Semitism) frequently wear bowties. I am obviously not a member of this group. I do not recall discussing Muslims in any context while OFR commissioner.
- I did not share my opinion on certain child names considered by a subordinate employee. I do recall a group of OFR employees discussing with [REDACTED] [REDACTED]

names [REDACTED] was considering for [REDACTED]. I joked with [REDACTED] that if [REDACTED] should name him Jon [REDACTED] (referring to the singer [REDACTED]). [REDACTED] laughed and asked what [REDACTED] should [REDACTED] was a [REDACTED] and I suggested [REDACTED] (French pronunciation). To my knowledge, no one took these suggestions seriously.

- I did not tell a subordinate employee that certain names for their child were wrong, stupid, and/or problematic. I recall a group of OFR employees discussing how children with unique names have to spell those names to strangers throughout their lives. Neither I nor anyone else present described the names as wrong, stupid or problematic.
- I did not ask a subordinate employee about the choice of mattress used with their spouse. I do recall mentioning that I was considering buying a king-sized mattress, but that I hadn't decided. [REDACTED] volunteered that [REDACTED] and [REDACTED] had a king-sized mattress because their dog slept in the bed with them.
- I asked [REDACTED] to drive me from OFR's office to Tallahassee International Airport once or twice for purposes of saving taxpayer money on a taxi or Uber ride to the airport. During the short drive, we discussed OFR matters. I would have been reimbursed for the taxi or Uber ride, so I did not personally benefit from having [REDACTED] drive me to the airport.
- As described above, I rode to the airport in [REDACTED] vehicle on one or two occasions.
- On a single occasion in April, my scheduled flight was cancelled due to a huge storm. For the same reasons described above (saving taxpayer money), [REDACTED] drove me from the airport back to the office. We discussed OFR matters during the drive.
- Without more information, such as the identity of the State Representative, or a reason I might have asked that individual if he or [REDACTED] had read my articles, I cannot confirm or deny that I did so. In general, I do not spontaneously ask people if they have read my articles unless they are relevant to the conversation and I have reason to believe the person I am speaking with may have read them.
- Without more information, such as the identity of the State Representative and a description of the meeting, I cannot confirm or deny that I took a sheet of paper from a State Representative who was writing notes during a meeting with a subordinate employee.
- I have no specific recollection of asking a subordinate employee to remove his or her shoes to have a photo taken with me. However, [REDACTED] frequently commented that I do not look good in photos for various reasons, including that I am considerably shorter than people standing next to me, and [REDACTED] told me on several occasions that [REDACTED] could not use photos [REDACTED] had taken of me and people with whom I'd met, for such reasons. Having endured derogatory comments about being short throughout my life, I am somewhat sensitive about my height, and I occasionally attempt to lessen the visible difference in height



between me and those standing next to me in photos. If I asked an employee to remove his or her shoes when taking a photo with me, I would have done so for these reasons.

- I have no specific recollection of asking a subordinate employee to kneel down to have a photo taken with me. As discussed above, the only reason I may have done so would have been to try to lessen the visible difference in height between me and those standing next to me.
- I have no specific recollection of asking a non-OFR employee to remove his or her shoes to have a photo taken with me. As discussed above, the only reason I may have done so would have been to try to lessen the visible difference in height between me and those standing next to me.
- I have communicated with subordinate employees via text message on my personal phone. Doing so is necessary for many reasons, including logistical coordination. Also, in some locations like Tallahassee International Airport, cell phone calls are impossible, while text messages work. Also, text messaging is disabled on OFR cell phones and calls incur per-minute charges. I try to save taxpayer money by avoiding unnecessary per-minute charges on my OFR cell phone.
- I did not offer to a subordinate employee that they could come in late if they showed me a picture of them 30 pounds heavier. I recall a conversation in which [REDACTED] volunteered that [REDACTED] had recently lost 30 pounds. When I said that was impressive and asked how [REDACTED] did it, [REDACTED] responded that [REDACTED] followed some kind of special diet and exercised before work every morning. [REDACTED] also said [REDACTED] was worried that [REDACTED] would gain the weight back because [REDACTED] could not visit the gym in the morning and get to work by 8:00 am, but that [REDACTED] would be able get to work by 8:15 am if [REDACTED] went to the gym in the morning. I told [REDACTED] that [REDACTED] first 15 minutes in the office were not that important to me, and that [REDACTED] had my permission to come to work at 8:15. A few minutes later, [REDACTED] came to my office and showed me a composite photo of [REDACTED] before and after [REDACTED] weight loss. I did not ask [REDACTED] to do so, nor did I condition [REDACTED] coming in 15 minutes late on [REDACTED] showing me the photo.
- I did not instruct subordinate employees to move a refrigerator from my residence to the Fletcher Building. I did not "instruct" the OFR employees to move the refrigerator, and (as discussed above) the unit from which it was moved was not my residence at the time.

Purchasers of unfinished units in the Plaza Towers may decline the standard new white appliances that come with the units in return for an allowance to purchase their own appliances. I chose the allowance, but the development company left the white appliances in the unit anyway. Recognizing that the small, old refrigerator in the OFR executive suite (in the Fletcher Building) was inadequate and always overstuffed, I asked my staff if they would like me to donate the full-sized white refrigerator to the executive suite. They enthusiastically accepted the offer, and they arranged, without my instruction, to have four or five people move the white refrigerator from my unfinished Plaza Towers unit to the Fletcher Building in the

pickup truck owned by [REDACTED]. In addition to [REDACTED] the employees who came to the unfinished unit were [REDACTED] [REDACTED] [REDACTED] [REDACTED]. Before moving the refrigerator, they spent several minutes wandering around looking over the unit and admiring the view from the balcony. (They spent significantly more time looking around the unfinished unit than [REDACTED] later did on the way to lunch on April 29.)

I also note that, during a phone call with [REDACTED] who had [REDACTED] around the same time I did, we discussed our white refrigerators. I told [REDACTED] that I had donated my white refrigerator to my executive office suite, and I described how several OFR employees had moved the white refrigerator from the Plaza Towers to the Fletcher Building in [REDACTED] pickup truck. [REDACTED] said [REDACTED] thought that was a good idea, and that he would probably donate [REDACTED] own white refrigerator to [REDACTED] office suite for [REDACTED] staff's use when he purchased new appliances for [REDACTED] own unit.

- I did not instruct a subordinate employee to use his or [REDACTED] personal vehicle to move a refrigerator from my residence to the Fletcher Building. See response above. The Plaza Towers unit was not my residence at the time, and I did not "instruct" [REDACTED] (or any other subordinate employee) to move the refrigerator; [REDACTED] (or they) came up with the idea of using [REDACTED] pickup truck to move the refrigerator on [REDACTED] (or their) own.
- I sent a few short, inconsequential non-work-related text messages to [REDACTED]. For example, on Saturday, [REDACTED] [REDACTED] I found myself at the mall Chinese restaurant where [REDACTED] told me [REDACTED] often went for lunch, and I sent [REDACTED] a photo of the restaurant. Shortly thereafter, I texted [REDACTED] to ask where I could get a good hamburger nearby.
- I did not invite a subordinate employee to accompany me at a conference in Washington, D.C. As described in my Statement, [REDACTED] [REDACTED] had previously told me that [REDACTED] would like to visit Washington someday. Shortly after [REDACTED] [REDACTED] informed me that the organizers of a Washington securities conference I was scheduled to attend in mid-May had provided a free hotel room but that [REDACTED] had not requested one for me because [REDACTED] knew I preferred to stay in my own Washington apartment, I relayed this information to [REDACTED] [REDACTED] and told [REDACTED] that, if [REDACTED] wanted, I could check to see if it would be appropriate for [REDACTED] to attend the conference and stay in the hotel room while I stayed in my apartment. (As I also noted in my Statement, [REDACTED] was working on [REDACTED] degree and had told me during [REDACTED] [REDACTED] that [REDACTED] hoped to eventually move from the [REDACTED] position to a financial analyst-type job where [REDACTED] could utilize [REDACTED] pending degree.)
- As described in my Statement, when [REDACTED] [REDACTED] told me that [REDACTED] wanted to visit Washington, D.C. as a tourist someday, I told [REDACTED] [REDACTED] was welcome to use my apartment (while I was in Florida) if [REDACTED] ever decided to do so, and that I would then give [REDACTED] the key if [REDACTED] asked for it. I did not offer [REDACTED] [REDACTED] the actual key to my Washington apartment at that time.



- I did not invite a subordinate employee to come to my personal residence on two occasions on [REDACTED] 2019 (or any other time). As discussed above, the unfinished Plaza Towers unit was not my personal residence on [REDACTED]. Furthermore, as explained in my Statement, I only invited [REDACTED] to walk through the Plaza Towers unit once, on the way to lunch. On the way back from lunch, I asked [REDACTED] to wait by the elevator while I entered the unit myself to see if the painter had painted the baseboards during lunch.
- As discussed above, I have not accompanied any OFR employee in my personal residence.
- As described in my Statement, I took [REDACTED] to lunch during [REDACTED] first week on the job, at the suggestion of [REDACTED], and I also took [REDACTED] to lunch on [REDACTED], which I had missed the previous week because I was out of town.
- I told [REDACTED] that my sister and [REDACTED] husband had separated and divorced after being married for eight years and having a child, and after my sister's husband told [REDACTED] he was gay. I did not tell [REDACTED] (or any other subordinate employee) anything about the sex life of my sister and [REDACTED] husband.
- As described in my Statement, I told [REDACTED] what I considered to be an amusing "Dad story" that ended with my father unexpectedly answering a question by saying "Your mother and I were very fertile." I then quipped to [REDACTED] "It took me years of therapy to unhear that answer." I told this story in an effort to lighten the mood after [REDACTED] had told me about [REDACTED] and after [REDACTED] asked about my family and I mentioned that [REDACTED] had recently [REDACTED].
- I did not ask a candidate for OFR employment if they would move if their spouse received another job offer elsewhere. As described in my Statement, prior to [REDACTED] [REDACTED] Mr. Mitchell had told me that [REDACTED] was moving to Tallahassee, and that [REDACTED] wanted [REDACTED] to move there with their minor child so they would be in the same city. Although I already knew the answer, I asked [REDACTED] in [REDACTED] interview why [REDACTED] wanted to move to Tallahassee. After [REDACTED] replied with a convoluted, non-credible answer, I told [REDACTED] that I had been told the real reason [REDACTED] wanted to move to Tallahassee, and [REDACTED] admitted that what Mr. Mitchell had told me was true.
- Without knowing the candidate or the context of the alleged statement, it is impossible for me to admit or deny telling a candidate for OFR employment something to the effect of "maybe that's why I've never been married." I do not recall making this statement to a candidate for OFR employment. I often use self-deprecating humor, so I have said "something to the effect of 'maybe that's why I've never been married'" on numerous occasions.
- I did not tell a subordinate employee that the OFR management team was "a bunch of dinosaurs."

- I did not ask a subordinate employee to locate a personal residence for me. After being appointed OFR commissioner on February 26, 2019, I began work immediately because, in January 2019, CFO Patronis had publicly informed the Cabinet that he wanted to have a permanent OFR commissioner in place by the start of the 2019 legislative session (the first week in March). When I was appointed commissioner, I was completely unfamiliar with Tallahassee.

\_\_\_\_\_ was essentially functioning as \_\_\_\_\_ at the time. I told \_\_\_\_\_ I had no idea where I might live until I was able to find a permanent residence in Tallahassee, and asked if \_\_\_\_\_ had any ideas. \_\_\_\_\_ told me that \_\_\_\_\_ father-in-law owned a furnished apartment in Tallahassee that he intended to post on AirBNB, but had been procrastinating on cleaning it up. After \_\_\_\_\_ gave me his phone number, and he and I had a long telephone conversation, he agreed to rent the apartment to me on a month-to-month basis at a rental price he set (which I was told was above market value and which I paid).

- As described above, during March and April 2019, I rented an apartment that was owned by \_\_\_\_\_.
- I did not tell a subordinate employee that I intended to visit them at their personal residence.
- I did not tell a subordinate employee their clothes looked like they had been painted on their body. The only conversation I can recall that had anything to do with tight clothing was a conversation among several OFR employees in \_\_\_\_\_ office regarding online \_\_\_\_\_ stores for \_\_\_\_\_. I recall \_\_\_\_\_ saying \_\_\_\_\_ should probably move from the \_\_\_\_\_ becoming uncomfortable.
- I did not request advice from a subordinate employee on purchasing a bed mattress for myself. As discussed above, I mentioned that I was considering buying a king-sized mattress but that I hadn't decided, and \_\_\_\_\_ volunteered that \_\_\_\_\_ and \_\_\_\_\_ husband had a king-sized bed because their dog slept in their bed with them.
- I did not ask a subordinate employee if their dog watches the subordinate employee and their spouse have sex. I recall a conversation while several members of my staff were walking to the Capitol building during which \_\_\_\_\_ said \_\_\_\_\_ and \_\_\_\_\_ had a king-sized mattress because their dog sleeps in their bed. I recall that I replied something to the effect of "TMI" (too much information).
- I do not recall telling a subordinate employee my sister's husband was gay and that he "came out of the closet" after having a child. Except for the fact that the man is now my sister's ex-husband (not her husband), the facts described in the alleged statement are essentially correct.

- I did not tell a subordinate employee that I didn't sleep with women in college, but only shared beds with them. Furthermore, the facts described in the alleged statement are false.
- I did not advise against the certain naming of a subordinate employee's child, including one that was a character in a novel who committed suicide. [REDACTED] said [REDACTED] was considering [REDACTED] [REDACTED] I believe that I and/or another person present during the conversation asked if [REDACTED] had read the book "[REDACTED] [REDACTED] We jokingly suggested that [REDACTED] read the novel before finalizing [REDACTED] decision.
- I do not recall telling a subordinate employee that my father stated a member of the Florida cabinet would be a good spousal match for me. I may have joked that my father noticed that Nikki Fried was Jewish, and occasionally asked me if [REDACTED] was single.
- I did not ask a subordinate employee to accompany me in a furniture store. After I bought a Miata, [REDACTED] requested a ride in my car. [REDACTED] told me [REDACTED] knew an interesting interior design shop nearby, so we decided to go there at lunchtime. It turned out that the shop [REDACTED] suggested wasn't there, so [REDACTED] suggested we drive on to a furniture store about a mile away. The real purpose of the trip was not to go to a furniture store, but for [REDACTED] [REDACTED] to take a ride in the Miata.
- I do not recall calling my sister a "bitch" in the presence of a subordinate employee.
- I never told a subordinate employee that we would stay together in my personal residence if we ever traveled to Washington, D.C. together, nor would I ever do so. I have not even made such an offer to anyone, including non-OFR employees, since I became OFR Commissioner.
- I did not refer to a New York regulator as a "cunt." First of all, I never use that word. In addition to the obvious impropriety of the word, I consider it to be vulgar and distasteful.

Furthermore, there is only one conversation, which I remember vividly, that could have given rise to this allegation. Three or four OFR employees were sitting down for a meeting in my office when one of them asked if there had been a character based on me in the movie "The Wolf of Wall Street." I said no, but the movie had a female U.S. Attorney character who was a composite of the two real Assistant U.S. Attorneys who had worked with me on the (related) Steve Madden case: Michele Adelman and Linda Lacewell, a New York regulator. I went on to say that Jordan Belfort (the "Wolf of Wall Street") hated Ms. Adelman because her tenaciousness was largely responsible for his arrest, and that Belfort, in his second book, repeatedly referred to Ms. Adelman as "the Wicked Witch of the East" (the Eastern District of New York) or simply "the C-word." Although Belfort used the word "cunt" throughout his book, when telling this story I described the word to the OFR employees as "the C-word".

- I have no specific recollection of discussing my taking of a subordinate employee to lunch with another subordinate employee via telephone on or about [REDACTED]

2019. I did speak with [REDACTED] by phone on the morning of [REDACTED] before going to my scheduled meeting in Miami, but I don't recall discussing the [REDACTED] lunch with [REDACTED] during that conversation.

- As stated above, I do not recall discussing my lunch with [REDACTED] during this call. Furthermore, what I repeatedly told [REDACTED] about the lunch was that I had absolutely no sexual or romantic interest in [REDACTED] that I did not believe my words or actions could reasonably be interpreted otherwise, and that [REDACTED] had given me no indication that anything I'd said or done had made [REDACTED] "uncomfortable."
- As stated above, I do not recall discussing [REDACTED] lunch during this call. However, I told [REDACTED] on numerous occasions that the Plaza Towers unit was not inhabited and was not my residence on [REDACTED] that neither I nor anyone else had ever lived in the unit, that the unit was basically a work in progress, and that the only furniture in the unit was a mattress wrapped in its original heavy shipping plastic.
- On [REDACTED] [REDACTED] told me, for the first time, that I had said something during [REDACTED] interview on [REDACTED] that had made [REDACTED] uncomfortable, but [REDACTED] refused to tell me what it was (and I had no idea). Shortly thereafter, Mr. West and Mr. Mitchell repeated the claim that I had said something inappropriate during [REDACTED] interview, but they also would not (or could not) tell me what it was. Over the weekend of May 4-5, I thought about how I could reassure Mr. West, and decided to offer to take additional sensitivity training. When I ran the idea by [REDACTED] when I returned to the office on the morning of May 6, [REDACTED] indicated [REDACTED] approval. I then told Mr. West about the idea during our lunch on May 6, and he also indicated he thought it was a good idea. Upon my return from lunch, [REDACTED] asked whether Mr. West had approved of the idea, and I told [REDACTED] that he had.
- After Mr. West indicated on May 6 that he thought my taking additional sensitivity training was a good idea, I asked [REDACTED] OFR's [REDACTED] if [REDACTED] was aware of any additional sensitivity training I could take, which I hoped to take at my own expense.
- I completed agency-provided training on ethics.
- I completed agency-provided training titled, "It Begins With Respect."
- I did not request assistance, in the form of answers to quizzes, from a subordinate employee to complete agency-provided training. I was very busy during my first few weeks as OFR commissioner, and [REDACTED] dutifully reminded me of upcoming deadlines to complete agency-provided training. However, when I tried to do the training on my computer, I repeatedly encountered technical difficulties. [REDACTED] had to request IT support several times to get various training sessions to operate properly. On a few of these occasions, [REDACTED] sat through the training sessions with me to make sure they functioned properly. When it came time to take the quizzes, [REDACTED] jokingly offered to answer the questions for me, but I did not take the offer seriously and completed the quizzes myself. Although, while I was taking the quizzes, [REDACTED] occasionally said [REDACTED] would have chosen a different

answer from the one I had chosen, I always selected my own answer. Since most of the quizzes only provided a final score and did not specify which answers were incorrect, I do not know whose answers were correct on such occasions.

- [REDACTED] told me that [REDACTED] determined that the type of sensitivity training I had suggested was not offered in Tallahassee. Since I was scheduled to be in Washington, DC the following week, I did a lengthy internet search to see if any such training was offered in Washington, DC. I mentioned to [REDACTED] that I was having trouble finding what I was looking for, and [REDACTED] then conducted a similar search with the same result.
- On or about [REDACTED] I asked [REDACTED] what [REDACTED] thought of [REDACTED] I did so to gauge [REDACTED] reaction for possible signs that [REDACTED] had discussed with [REDACTED] alleged discomfort during our [REDACTED] lunch before [REDACTED] discussed the matter with Ryan West. Based on [REDACTED] reaction, I do not believe [REDACTED] reported the matter to [REDACTED] (as I believe [REDACTED] ought to have done).
- I did not tell a subordinate employee they could fire the Deputy Commissioner. On March 4, 2019, the first day of my first full week as OFR commissioner, Deputy Commissioner Epting informed me that she planned to retire. She announced [REDACTED] retirement shortly thereafter and left the office a few weeks later.
- Without further information, such as the identities of the subordinate employees or the circumstances under which I allegedly made the statement, I'm unable to admit or deny that I told a subordinate employee that another subordinate employee had "f-ed up." I do not recall making such a statement and would be surprised if I did.
- During the "town hall" meetings I held with all OFR employees, I went around the room and asked each employee to speak about themselves. I asked them to describe what they did in their jobs, how long they had worked for OFR, where they went to school, and their proudest achievement at OFR. In Tallahassee, one employee (whose name I do not recall) used [REDACTED] turn to talk about infectious diseases. [REDACTED] went on at great length about how and why antibiotic-resistant bacteria was about to become an epidemic that would kill much of the population by the year 2030 (my recollection of the specific details may not be perfect, but [REDACTED] described some kind of plague coming in the relatively near future). The room fell silent, and it was a memorably uncomfortable moment. Afterward, I joked with my staff that the [REDACTED] performance reminded me of the Saturday Night Live skit "Debbie Downer."

On a separate occasion, the same employee spent several minutes describing a completely different disease that, [REDACTED] said, was also spreading quickly and about to become an epidemic. When I could not recall the employee's name, I referred to [REDACTED] in private conversations with my staff as "the Debbie Downer woman."

- I did not ask a subordinate employee to locate cleaning services for my personal residence. I generally clean my personal residences myself, and almost never use cleaning services.



The floors were installed in my Plaza Towers unit between April 22 and April 25. When I checked on the project on the evening of April 25, I observed that the entire unit was covered in concrete dust that made breathing difficult. I mentioned this fact to [REDACTED] the following morning (Friday, April 26), and asked if [REDACTED] knew a good cleaning person. I did not ask [REDACTED] to find me a cleaning person. [REDACTED] said [REDACTED] might know someone, and would get back to me. A few hours later, I briefly visited the Plaza Towers building and spotted an independent cleaning woman in the lobby. We went up to my unit, [REDACTED] inspected the concrete dust, and [REDACTED] offered to deep clean the unit that evening. Later that afternoon, I mentioned to [REDACTED] that I had found someone to remove the concrete dust from my unit.

[REDACTED] suggested that I have [REDACTED] in-law's apartment (which, as described above, I rented from him during March and April) professionally cleaned before I vacated it on May 1, and [REDACTED] offered to give me the name of a cleaning person, but I declined the offer. Instead, I spent the April 27-28 weekend cleaning the apartment myself to ensure that I returned the apartment on May 1 cleaner than it had been when I moved in on March 3.

- I did not ask a subordinate employee to help repair my personal coffee maker. On March 3, 2019, I brought several personal items to my office that I had transported from Washington, DC the previous weekend. One was an espresso machine that had been in storage for three years. [REDACTED] visited my office several times a day, and saw that I was frustrated because the machine was not working. [REDACTED] told me that [REDACTED] liked to tinker with coffee machines, said [REDACTED] thought [REDACTED] could fix it, and offered to take it home with [REDACTED] one evening and show it to [REDACTED]. I accepted the offer. A day or two later, [REDACTED] returned with the machine, and said [REDACTED] had removed a small blockage in it, and that no parts or other expense had been necessary to make it work. I told [REDACTED] I was very grateful, and said I would make [REDACTED] a cappuccino any time [REDACTED] liked. I believe I made [REDACTED] a cappuccino at that time, and possibly at [REDACTED] times.
- As described above, I accepted [REDACTED] offer to have [REDACTED] repair my personal coffee maker. I believe I fairly compensated [REDACTED] for [REDACTED] efforts, which did not require any parts or other expense, by making [REDACTED] one or more cappuccinos. The market value of each of these cappuccinos, which were made with imported Italian espresso and frothed milk, was at least \$5.00.
- I did not ask a subordinate employee to clean my personal refrigerator. After I donated the unused, full-sized refrigerator that came with my Plaza Towers unit to the OFR executive suite, there was nowhere to put the small refrigerator it replaced, so the small refrigerator was moved into my office. I do not consider the small refrigerator to be my personal refrigerator - I do not intend to take it with me or sell it whenever I leave OFR.

At some point shortly after the small refrigerator was moved into my office, I returned from a meeting to find [REDACTED] finishing cleaning the refrigerator. I was surprised, because I had not asked [REDACTED] to do so.

- I did not tell a subordinate employee that I wanted a "pretty face" in the office. After [REDACTED] and I finished interviewing potential [REDACTED]

they both encouraged me to hire [REDACTED] the only remaining viable candidate, because they said [REDACTED] would present "a good face" for the office because [REDACTED] was polite and possessed a southern cordiality. In one conversation with [REDACTED] I told [REDACTED] that I was not particularly enthusiastic about hiring [REDACTED] but [REDACTED] [REDACTED] [REDACTED] were overworked, and among the arguments they used to convince me to hire [REDACTED] was that [REDACTED] would be a good face for the office. I am not aware of anyone ever referring to [REDACTED] as a "pretty face."

- I did not tell a candidate for OFR employment that I needed smart people and that I could not find any smart people in Tallahassee. As described in my Statement, I discussed with [REDACTED] my plans for restructuring and improving OFR, and said I was worried that I would not be able to hire attorneys with the expertise I needed to achieve my goals. I said that attorneys with such expertise are hard to find anywhere, and that they earn significantly higher salaries than any OFR employee, including the OFR commissioner. I absolutely did not say that I could not find any smart people in Tallahassee.

[REDACTED] own text messages following the interview (which were published in redacted form in a May 31 Florida Politics article) show that this allegation is false. In [REDACTED] text message, [REDACTED] wrote: "Apparently he can't find anyone smart in Tallahassee. Anyone not from DC is an idiot. Hence I'm not smart enough." [REDACTED] use of the word "apparently" evidences that [REDACTED] only *believed* that I *thought* I could not find smart people in Tallahassee, and not that I *said* I could not find smart people in Tallahassee. The word "apparently" is used to describe something the writer has inferred, not something he or [REDACTED] has been expressly told.

- I did not tell a candidate for OFR employment that people in Tallahassee were "rednecks." As described in my Statement, I do not recall the word "redneck" being used during [REDACTED] interview, and it defies logic to believe that I would demean the entire population of the city I now call home, as well as the OFR employees with whom I work.
- I did not tell a candidate for OFR employment that certain management staff had to go because they were too old. As described in my Statement, during [REDACTED] interview, [REDACTED] pulled a printout of OFR's organization chart from [REDACTED] and placed it on the table. [REDACTED] said [REDACTED] had reviewed the chart and would like to be OFR's deputy commissioner. I replied that I was reorganizing the agency and would be converting the deputy commissioner position to chief of staff. [REDACTED] asked me to draw on [REDACTED] (current) chart a diagram of the new organization, and to show [REDACTED] where the current chart's managers would be in the new organization chart. I drew the diagram and said that several OFR senior managers had announced, or were expected to announce, their retirements soon. I said I had not yet decided which middle managers would replace the retirees in the new organization chart. In other words, I told [REDACTED] that certain OFR management staff were *about* to go [retire], not that they *had* to go. And I absolutely did not say that they were "too old."
- I did not tell a candidate for OFR employment that there were several other black people who could beat Andrew Gillum. I do not recall discussing Andrew Gillum



with [REDACTED] or [REDACTED] (or any other candidate for OFR employment), and it would have made no sense for me to have said that there were "several other black people who could beat Gillum" in March 2019 because Mr. Gillum was not up for election at that time and had not announced an intention to run for public office in the future.

- During a conversation with [REDACTED], I mentioned that Mr. Mitchell had told me the term "redneck" was offensive. I told [REDACTED] that I had not heard the term in years, and that I associated the word with the decades-old Jeff Foxworthy comedy routine, "You know you're a redneck when..." I asked [REDACTED] about Mr. Mitchell's claim because I was interested in learning whether and why the term had gone from being considered benign in mainstream culture, as I remembered it, to being deemed offensive. My question to [REDACTED] was a matter of curiosity and an effort to educate myself.
- I did not tell a subordinate employee that a candidate for OFR employment was very offended by my use of the term "redneck." I told [REDACTED] that Mr. Mitchell had told me that [REDACTED] had claimed I'd used the word "redneck" during our lunch, and that Mr. Mitchell said the term was offensive. Furthermore, even though [REDACTED] treated the interview as if [REDACTED] hiring was a foregone conclusion, it defies reason that [REDACTED] would have reprimanded me ([REDACTED] interviewer) *during* the interview for having greatly offended [REDACTED]. Moreover, even if [REDACTED] had done so, it also defies reason that I would have told a subordinate employee that I had offended [REDACTED] so severely that [REDACTED] had told me [REDACTED] was very offended *during* [REDACTED] interview. Additionally, in [REDACTED] own [REDACTED] text messages, [REDACTED] does not state that [REDACTED] told me [REDACTED] was offended by anything I said or did during [REDACTED] interview.
- During my "town hall" meetings with OFR employees, I sometimes asked employees to identify their country of origin in the presence of other employees. At many of the "town hall" meetings, I asked each employee to speak a bit about him- or herself. To facilitate the process, I suggested that each person answer the following questions:
  - How long have you worked for OFR?
  - What do you do in your job?
  - What is your proudest achievement at OFR?
  - Where did you go to school?
  - What is your school mascot?
  - Does your school have a "cheering gesture?" [demonstrate it]

As the employees answered these questions, I looked for opportunities to ask follow-up questions about unusual or interesting things they said about themselves, to say positive things about their answers, to share things I had in common with them, and to discuss OFR issues related to whatever they discussed.

In one Tallahassee meeting, a [REDACTED] mentioned that [REDACTED] had come to the United States eight months earlier. I asked if [REDACTED] minded my asking the country from which [REDACTED] had emigrated. [REDACTED] told me [REDACTED] came from [REDACTED]. Having read several articles about the popularity of long-distance running [REDACTED], and knowing that a number of [REDACTED] runners have won or placed highly in several U.S. marathons,

I asked if [REDACTED] ran, and said I had read that long distance running was essentially [REDACTED] national sport and that a disproportionate number of elite marathon runners are [REDACTED]. When [REDACTED] said [REDACTED] did not run, I quickly moved on to the next employee.

Had the [REDACTED] said [REDACTED] was Canadian, I would have asked if [REDACTED] played or liked ice hockey, and shared the fact that I played hockey in college. At one town hall meeting, an employee said he'd come from a country that produces elite squash players (generally countries that were part of the British Empire during the 19th and 20th Century - Great Britain, Wales, Pakistan, Canada, Egypt, Ireland, India, Australia, etc.), so I asked if he played squash, and shared the fact that I used to play squash almost every day.

While there were fewer Tallahassee employees who had emigrated from foreign countries than there were in other OFR offices, I asked many OFR employees follow-up questions about where they grew up, and many OFR employees described emigrating from other countries. In particular, several employees in OFR's Miami office said they had emigrated from South America. One such employee told a funny story about her school mascot being a goat - a live goat that attended every sports event. I mentioned that story in all of my subsequent town hall meetings.

- I hosted (rather than merely attended) "town hall" meetings with the OFR's Division of Consumer Finance staff in various locations, including Tallahassee.
- As discussed above, during a "town hall" meeting in Tallahassee, I asked a subordinate employee where [REDACTED] was from in the presence of other subordinate employees after [REDACTED] told me [REDACTED] come to the United States eight months earlier.
- As discussed above, my recollection is that the employee volunteered how long [REDACTED] had been living in the U.S., rather than my asking [REDACTED].
- As discussed above, I asked the employee whether [REDACTED] ran because I'd read several articles about the popularity of long-distance running in [REDACTED] and I knew that a number of [REDACTED] runners had won or placed highly in several U.S. marathons.
- As discussed above, I told the employee that I'd read that long distance running was essentially [REDACTED] national sport and that a disproportionate number of elite marathon runners are [REDACTED].
- As discussed above, I said something to the effect that a disproportionate number of elite marathon runners are [REDACTED].
- I do not recall whether I asked other attendees in that particular meeting about their country of origin. However, as described above, I sometimes asked employees about their country of origin during "town hall" meetings.

- After my March 14 "town hall" meeting with all employees in OFR's WPB office, I walked around that office to meet individual employees in their offices. I visited and spoke with several employees, both male and female. In addition to simply getting to know them, I had noted several employees in the group session who seemed particularly bright and enthusiastic about OFR's mission and my goal of investigating more serious financial crimes rather than previous commissioners' focus on minor technical violations. While I was speaking with one such employee, [REDACTED] indicated an interest in my articles, and asked which [REDACTED] should read first. I gave [REDACTED] my personal cell phone number and said [REDACTED] could send me a text message if [REDACTED] wanted me to text [REDACTED] the links to those articles (text messages are disabled on OFR cell phones). [REDACTED] texted me the following morning, and I sent [REDACTED] links to my best two articles. [REDACTED] texted me later that day to say [REDACTED] had read one of the articles, and that I should let [REDACTED] know the next time I was "down in the West Palm area." In my reply, I texted [REDACTED] links to two more of my articles. I had no further contact with [REDACTED] until Friday, April 19.

My March 14 time with the WPB employees had been cut short because I had to prepare my Alzheimer's speech introducing Governor DeSantis, so I scheduled a follow-up visit to the WPB office on April 19. I planned to take the 11:25 am flight from TLH to MIA and drive to WPB, but there was a huge, violent storm moving across Florida. At 8:17 am, [REDACTED] texted me to wish me safe travels and say [REDACTED] hoped the weather did not delay me. While I was waiting at home for the storm to subside, I replied that the rain seemed to be tapering off, but then sent another message a few minutes later to say I had just seen a tornado warning. At about noon, we were told the flight would be delayed an hour; I texted [REDACTED] about the delay, and said I was still coming. I did so to inform the entire WPB office of my delay, and, since [REDACTED] had texted me that morning, [REDACTED] phone number was at my fingertips. [REDACTED] replied that it was sunny in WPB. Minutes later, my flight was canceled, and it was clear I would not be able to visit the WPB office that day. I called [REDACTED] and asked [REDACTED] to tell the WPB office manager and other employees that I would not be able to visit that day, and that I would reschedule as soon as possible.

I ultimately visited the WPB office on Friday, May 3. During that visit, I stopped outside the door of [REDACTED] office, spoke with [REDACTED] for a few minutes without entering, and then stopped into other employees' offices for longer conversations about OFR matters.

- As described above, I communicated via text message with a subordinate employee assigned to OFR's West Palm Beach Regional Office.
- As described above, I told a subordinate employee assigned to OFR's West Palm Beach Regional Office that my flight had been cancelled.
- I did reference in the presence of subordinate employees a discussion I'd had with Jordan Belfort about his sexual exploits, but I did not repeat any information about the exploits he reported. I have recounted this short story many times to many people, especially since my January 4, 2014 Wall Street Journal article, "How the Wolf of Wall Street Really Did It." The following is a nearly verbatim recitation of the story:

"In 2000, Jordan Belfort (the 'Wolf of Wall Street') had pled guilty and was under house arrest. Part of his plea agreement was that he had to answer any federal prosecutor's questions regarding other individuals who had committed crimes with him. One such individual was Steve Madden, whom I prosecuted while I was an SEC enforcement attorney.

Most of my interview sessions with Belfort took place in a U.S. Attorney's office with a female U.S. attorney present. During one such session, I asked Belfort if the recent movie 'Boiler Room,' which was loosely based on Belfort's crimes, was accurate. Belfort replied that he and his accomplices were much wilder than depicted in that movie. I asked him to elaborate, and he said he could not do so while there was a woman in the room. The U.S. Attorney rolled her eyes, but Belfort insisted he could not elaborate in her presence. Finally, she left the room, and Belfort told me several stories. The tamest of these were later depicted in the 2013 movie 'The Wolf of Wall Street.' Having heard these stories, I had to agree with Belfort that there are some stories that simply cannot be told in mixed company."

- As described above, I gave my personal cell phone number to West Palm Beach employee [REDACTED] in order to provide links to my articles via text message. I do not remember giving my personal number to any other WPB employee, and I believe [REDACTED] is the only WPB employee who has ever called or sent a text message to my personal phone number.

21. The persons identified in my responses above are believed to have knowledge concerning the events and incidents described. Most such persons are OFR employees in Tallahassee, whose business address is provided in paragraph 2 above. The addresses of other individuals identified above who are believed to have relevant knowledge (as described above) are:

[REDACTED]  
Office of Financial Regulation  
400 N. Congress Avenue  
West Palm Beach, FL 33401

[REDACTED] also has knowledge regarding other facts and incidents (not mentioned above) that I reported in my Statement.

Ryan West  
Department of Financial Services  
PL 11, The Capitol  
Tallahassee, FL 32399

Mr. West also has knowledge regarding other facts and incidents (not mentioned above) that I reported in my Statement.

Jimmy Patronis  
Department of Financial Services  
PL 11, The Capitol  
Tallahassee, FL 32399

Mr. Patronis also has knowledge regarding other facts and incidents (not mentioned above) that I reported in my Statement.

Paul Mitchell  
Southern Strategy Group, Inc.  
123 S. Adams Street  
Tallahassee, FL 32301

Mr. Mitchell also has knowledge regarding other facts and incidents (not mentioned above) that I reported in my Statement.

In addition to the facts and incidents discussed above, OFR employees [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] have knowledge regarding my discussions with them related to my requests that they ensure that every aspect of every trip I took strictly followed the state's travel expenditure and reimbursement rules, and that they work together to make sure before I traveled that any trip I planned to take and its associated expenditures and reimbursements were appropriate and permissible.

Because I have been provided only limited information concerning the allegations made against me, there may be other individuals (not yet identified) who may possess relevant information.

22. I believe my relationships with the persons identified above are apparent from my prior responses.

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true to the best of my knowledge and belief.

  
Ronald L. Rubin